Calendar No. 220

98TH CONGRESS *1st Session*	SENATE	REPORT No. 98-143

FOREIGN RELATIONS AUTHORIZATION ACT FISCAL YEARS 1984 AND 1985

REPORT

OF THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ON

S. 1342

TO AUTHORIZE APPROPRIATIONS FOR THE DEPARTMENT OF STATE, THE UNITED STATES INFORMATION AGENCY, THE BOARD FOR INTERNATIONAL BROADCASTING, THE NATIONAL ENDOWMENT FOR DEMOCRACY AND THE ASIA FOUNDATION FOR FISCAL YEARS 1984 AND 1985

MAY 23 (legislative day, MAY 16), 1983.—Ordered to be printed

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FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985

MAY 23 (legislative day, MAY 16), 1983.—Ordered to be printed

Mr. PERCY, from the Committee on Foreign Relations, submitted the following

REPORT

[To accompany S. 1342]

The Committee on Foreign Relations to which were referred the bills (S. 660, S. 694, S. 734) authorizing appropriations for the Department of State, the United States Information Agency and the Board for International Broadcasting for fiscal years 1984 and 1985, having considered the same, reports favorably an original bill and recommends that the bill do pass.

PRIMARY PURPOSE

The primary purpose of this bill is to authorize appropriations for fiscal years 1984 and 1985 for the Department of State, the United States Information Agency (USIA), the Board for International Broadcasting (which makes grants to Radio Free Europe/Radio Liberty), the Asia Foundation and the National Endowment for Democracy.

The following table shows for each agency the fiscal year 1983 authorization levels, the continuing resolution levels, the Administration requests for fiscal years 1984 and 1985, and the Committee recommendations for fiscal years 1983, 1984, and 1985.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985

[By fiscal year; in thousands of dollars]

	1982 appropriations actual	1983 authorization Public Law 97-241	1983 supplemental authorization requests	1983 appropriations Public Law 97-377	1983 supplemental appropriations request	1984 authorization request	1985 authorization request	1984 increase/decrease over 1983 appropriations request	1985 increase/decrease over 1984 request	Committee mark 1984	Committee mark 1985
STATE DEPARTMENT											
Administration of Foreign Affairs	1,259,151	1,248,059	.....	1,310,232	26,411	1,473,713	1,574,520	137,070	100,807	1,473,713	1,473,713
International organizations and conferences	466,462	514,436	.....	518,804	.....	602,343	645,978	83,839	43,635	602,343	645,978
International commissions	20,292	22,432	.....	20,198	174	23,207	27,503	2,835	4,296	23,207	23,207
Migration and refugee assistance	423,000	460,000	.....	395,000	.....	344,500	326,400	−50,500	−18,100	344,500	326,400
U.S. bilateral science and technology agreements	3,700	3,700	.....	1,700	.....	1,700	1,700	.....	.....	1,700	1,700
The Asia Foundation	4,100	4,500	.....	4,100	.....	.....	.....	−4,100	.....	10,000	10,000
Consulate protection	.....	.....	.....	.....	.....	6,000	6,300	6,000	300	6,000	6,000
Subtotal	2,176,705	2,253,127	.....	2,250,034	26,585	2,451,463	2,582,401	174,844	130,938	2,461,463	2,486,998
U.S. INFORMATION AGENCY											
Salaries and expenses	450,401	[1] 489,443	.....	492,122	20,377	569,365	594,457	56,866	25,092	580,647	580,647
Center for culture and technical interchange between East and West (Hawaii)	16,880	18,280	.....	18,000	.....	18,547	19,345	547	798	18,547	18,547
Acquisition and construction of radio facilities	19,000	40,000	.....	25,000	11,833	47,959	179,426	11,126	131,467	26,250	26,250
Special foreign currency program	9,800	11,327	.....	10,327	.....	10,556	12,412	229	1,856	10,556	10,556
Project Democracy	.....	.....	20,000	.....	20,000	65,000	65,399	45,000	399	.....	.....
Subtotal	496,081	[2] 559,050	20,000	545,449	52,210	711,427	871,039	113,768	159,612	636,000	636,000

BOARD FOR INTERNATIONAL BROADCASTING											
Administrative expenses	832	838		857		1,075	1,128	+218	+53	1,075	1,128
Transmitter purchase						1,395		+1,395	−1,395	1,395	
Grants to RFE/RL, Inc	82,375	97,479	13,283	89,443	21,300	103,585	110,123	−7,158	+6,538	103,585	110,123
Subtotal	83,207	98,317	13,283	90,300	21,300	106,055	111,251	−5,545	5,196	106,055	111,251
Grand totals	2,755,993	2,910,444	33,283	2,885,783	100,095	3,268,945	3,564,691	283,067	295,746	3,203,518	3,234,249

[1] Includes $4 million for Tsukuba Expo. [2] Public Law 97–241 rounded this figure off to the nearest million ($559 million).

As stated in the above chart, the Committee took the following actions on the various Administration funding requests: (1) the Committee rejected the United States Information Agency's fiscal year 1983 $20 million supplemental request to initiate its Project Democracy; (2) the Committee granted the fiscal year 1983 supplemental request of the Board for International Broadcasting for $13.2 million to enhance and upgrade the broadcasting capabilities of Radio Free Europe and Radio Liberty; (3) the Committee approved a $2.46 billion authorization of appropriations for the Department of State of fiscal year 1984 and a $2.48 billion authorization for fiscal year 1985; (4) the Committee approved an authorization of appropriations of $636 million for the operations of the United States Information Agency for fiscal year 1984 and fiscal year 1985; and (5) the Committee approved $106 million in fiscal year 1984 and $111 million in fiscal year 1985 for the Board for International Broadcasting.

In addition to the funding levels for the above-mentioned departments and agencies, other sections of the bill: (1) remove the ceiling on the amount that the United States may contribute to the Paris Union for the Protection of Industrial Property of the World Intellectual Property Organization; (2) eliminate and modify ten reporting requirements of existing law; (3) authorize the appropriation of $6 million in fiscal year 1984 and fiscal year 1985 to improve and expand consular protective services within the United States; (4) express the sense of the Congress that U.S. representatives to various international organizations should oppose the adoption of international marketing and distribution regulations which unnecessarily impede the export of U.S. agricultural and other products; (5) earmark $2 million to strengthen the Secretariat of the Coordinating Committee on Export Controls; (6) earmark $8.4 million to enhance the overseas political and economic reporting capabilities of the Department of State; (7) strengthen Congressional oversight authority with respect to the State Department's emergency expenditures account and its repatriation loan program; (8) earmark $5 million in fiscal year 1984 and $7 million in fiscal year 1985 for the establishment of an alternative communications system for the Department of State to secure uninterrupted transmission of communications related to U.S. foreign policy and national security interests; (9) permit foreign service officers to select their state of residency for purposes of voting in Federal elections; (10) direct the Secretary of State to establish regional wildlife resources attachés; (11) require the Secretary of State, in consultation with the Secretary of Interior, to review the effectiveness of existing U.S. international activities relating to the conservation of international wildlife; (12) merge the Foreign Service Information Corps with the Foreign Service Corps; (13) earmark $225,000 for fiscal year 1984 and fiscal year 1985 for continued support of the Secretariat of the U.S. National Commission to the United Nations Education, Scientific and Cultural Organization; (14) earmark $248,000 for fiscal year 1984 and fiscal year 1985 as the U.S. contribution to the World Heritage Trust Fund; (15) state the sense of the Congress that the United States should move as expeditiously as possible toward a bilateral agreement with Canada on the acid rain problem; (16) express the sense of the Congress that the Department of

State should take steps to eliminate the excessive delays in the publication of its historical series, "The Foreign Relations of the United States"; (17) make it the sense of the Congress that the U.S. Government should move immediately to promote lower prices and fair market conditions for imported natural gas; (18) earmark $1 million for fiscal year 1984 and fiscal year 1985 for grants to non-governmental organizations in South Africa promoting political, economic, social, juridical and humanitarian efforts to foster a just society and to help victims of apartheid; (19) require the proportionate reduction of the U.S. share of any programs of any international organizations for the Palestine Liberation Organization, the South West Africa Peoples Organization, Cuba or Iran; (20) authorize supplemental allowances for USIA personnel assigned to New York City; (21) increase the duration of transmitter leases for the Voice of America; (22) earmark increased funding for the traditional activities of the USIA in the field of educational and cultural exchanges; (23) require a 15-day notice for 1 year to the House and Senate committees involved with foreign relations concerning all USIA reprograming activities and program grants; (24) create within the USIA a new program of environmental exchanges; (25) authorize the Board for International Broadcasting to create a fund composed of foreign currency gains to enhance the pension of retirees that left the Radios prior to 1976; (26) create a non-profit corporation, the National Endowment for Democracy, to encourage free and democratic institutions throughout the world through private sector initiatives; (27) strengthen the enforcement authorities of the liability insurance requirements of the Diplomatic Relations Act; and (28) specifically authorize annual grants to the Asia Foundation.

Committee Action

In March of this year, Senator Percy, Chairman of the Foreign Relations Committee, introduced S. 660, S. 694 and S. 734, which contained the authorization of appropriations requests of the executive branch for the Department of State, the Board for International Broadcasting and the United States Information Agency. Subsequently, the Foreign Relations Committee held hearings on these bills as follows:

MARCH 2, 1983

U.S. Information Agency (S. 734): The Honorable Charles Z. Wick, Director; the Honorable J. William Fulbright, Former Chairman, Senate Foreign Relations Committee.

Panel of Public Witnesses: John Richardson, Chairman, The Consortium for International Citizen Exchange, Washington, D.C.; Richard Berendzen, Member, Committee on International Education, American Council on Education, Washington, D.C.; Walter Rosenblaith, Member, Committee on International Education, American Council on Education, Washington, D.C.; John R. Reichard, Member, Steering Committee, International Educational Exchange Group, Washingtons, D.C.; Al Sommer, Jr., Member, Board of Directors, Council of International Programs, Washington, D.C.

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Board for International Broadcasting (S. 694): The Honorable Frank Shakespeare, Chairman; the Honorable Ben J. Wattenberg, Vice Chairman; the Honorable James L. Buckley, President, Radio Free Europe/Radio Liberty, Inc.

MARCH 9, 1983

State Department (S. 660): The Honorable Jerome W. Van Gorkom, Under Secretary for Management; the Honorable Gregory J. Newell, Assistant Secretary for International Organization Affairs; Mr. James N. Purcell, Director, Bureau for Refugee Programs.

On April 20, 21, 26 and 28, 1983, the Committee on Foreign Relations met in open session to consider a consolidated draft bill. During the mark-up on the bill, there were three record votes. On April 21, 1983, the Committee rejected an amendment offered by Senator Pressler, as modified by Senator Zorinsky, which would have urged the Administration to move to a goal of making U.S. funding for the United Nations and its specialized agencies proportional to the percentage of U.S. nationals employed in each organization. This amendment was defeated by a 6 to 6 vote. Those voting aye were Senators Helms, Kassebaum, Boschwitz, Pressler, Murkowski, and Zorinsky. Those voting nay were Senators Percy, Baker, Lugar, Pell, Sarbanes, and Tsongas. Senator Pressler indicated after the vote that this issue was extremely important and that he intended to reoffer his amendment on the floor of the Senate.

The Committee also rejected an amendment offered by Senator Kassebaum which would have restricted the USIA fiscal year 1984 budget to a 5 percent increase over above the amounts appropriated in fiscal year 1983. This amendment would have permitted $572 million for USIA in fiscal year 1984. The amendment was defeated by a 7 to 8 vote. Those voting aye were Senators Helms, Kassebaum, Boschwitz, Pressler, Murkowski, Sarbanes, and Zorinsky. Those voting nay were Senators Percy, Baker, Lugar, Pell, Glenn, Tsongas, Cranston, Dodd, and Percy.

The Committee did adopt an amendment offered by Senator Zorinsky which authorized a $636 million appropriation for USIA in fiscal year 1984 and fiscal year 1985. The Zorinsky amendment (see section-by-section analysis, Section 202) was adopted by a vote of 10 to 5. Those voting aye were Senators Helms, Kassebaum, Boschwitz, Pressler, Murkowski, Glenn, Sarbanes, Zorinsky, Tsongas, and Cranston. Those voting nay were Senators Percy, Baker, Lugar, Pell, and Dodd.

On April 28, the Committee agreed to report the consolidated draft bill as an original bill by a voice vote with a live quorum present.

Section-by-Section Analysis

Title I—State Department

SECTION 101. SHORT TITLE

This title may be cited as the "Department of State Authorization Act, Fiscal Years 1984 and 1985."

SECTION 102. AUTHORIZATION OF APPROPRIATIONS

This section authorizes appropriations for fiscal years 1984 and 1985 for the Department of State in five categories as follows:

1. Administration of Foreign Affairs

FISCAL YEAR 1984 REQUEST

The Administration requested $1,473,713,000 for fiscal year 1984 for its Administration of Foreign Affairs funding category. Included in this item are funds to cover salaries, operating expenses, allowances, overseas building construction and maintenance, and the Department's basic diplomatic and consular functions.

The fiscal year 1984 request represents a net increase over the 1983 appropriation (including the pending supplementals) of $137,070,000—which is made up of the following elements:

A net increase of $143,339,000 in its Salaries and Expenses appropriation to cover uncontrollable wage and price increases and to strengthen the Department's operations in several critical areas;

A net increase of $9,849,000 in the regular foreign buildings program which can essentially be attributed to the first installment in a multi-year capital renewal program to maintain the Department's worldwide inventory of property roughly valued at above $5 billion. Also included in the basic program level of this appropriation are resources to complete the second phase of the complex in Riyadh, Saudi Arabia; to fund development or construction of office and housing facilities in sixteen countries; and to cover operational requirements; and

A net decrease of $16,118,000 in other programs partially offsets the above increases.

The following table provides a comparison of the fiscal year 1984 authorization request with the fiscal year 1983 estimated appropriation levels.

ADMINISTRATION OF FOREIGN AFFAIRS

Comparison of Fiscal Year 1984 Authorization With Fiscal Year 1983 Appropriation

(Dollars in thousands)

	Estimated 1983 appropriation		Requested 1984 authorization		Difference	
	Positions	Amount	Positions	Amount	Positions	Amount
ADMINISTRATION OF FOREIGN AFFAIRS						
1 Salaries and expenses:						
Regular Act	15,860	$983,494	16,167	$1,148,586	307	$165,092
Proposed supplementals:						
Federal salary increases		13,642				−13,642
Transfer for civilian pay		8,111				−8,111
Subtotal	15,860	1,005,247	16,167	1,148,586	307	143,339
Reopening consulates		1,000				−1,000
2 Representation allowances		3,876		4,247		371
3 Acquisition, operation and maintenance of buildings abroad	103	193,040	104	202,889	1	9,849
4 Acquisition, operation and maintenance of buildings abroad (special foreign currency account)		8,360		10,113		1,753
5 Emergencies in the Diplomatic and Consular Service		4,400		4,400		
6 Payment to the Foreign Service Retirement and Disability Fund:						
Regular Act		$91,312		$89,503		−$1,809
Proposed Supplemental Appropriation		4,658				−4,658
Subtotal		95,970		89,503		−6,467
7 Buying power maintenance		16,006		4,500		−11,506
8 Payment to the American Institute in Taiwan		8,744		9,475		731
Total Administration of Foreign Affairs	15,963	1,336,643	16,271	1,473,713	308	137,070

The 16,271 positions funded by the 1984 request reflect a net increase of 308 positions compared with the current fiscal year.

Of this increase, 61 positions are for built-in changes, almost entirely for consular and passport workload.

The Department is also requesting 247 positions for program increases: 15 positions for opening three posts: Chengdu, Peoples Republic of China; Bandar, Brunei; and Enugu, Nigeria; 62 positions to strengthen the substantive reporting and analysis capability of the Department; 17 positions to improve consular and passport activities, 25 positions for expanded professional development; 40 positions for information systems; 34 positions for communications; 31 positions to strengthen administrative support to all agencies operating overseas; and 23 positions for security, inspecting, translating, and creating a new property management system for facilities abroad.

Regarding resource management, most of the Department's 1984 increase is necessary for continuing operations at existing levels and overcoming operational deficiencies. The Department wishes to:

Meet anticipated wage and price increases overseas, where inflation has been significantly higher than in the United States;

Adjust to the projected six percent increase in demand for domestic and overseas passport and consular services;

Maintain its efforts to protect life and property abroad in an increasingly dangerous international environment; and

Build on past efforts to strengthen reporting and analysis of foreign political and economic events.

In addition to these efforts, the Department intends to strengthen several programs it considers important to its operational capability. Specifically, the Department hopes to:

Improve the security and reliability of its telecommunications system through building an alternate communications center; replacing obsolete cryptographic equipment; providing mobile communications units for deployment in crises and during the travels of the Secretary of State; establishing a global communications network control system; and an acceleration of its terminal equipment replacement program.

Provide new office and housing facilities where needed and restore the conditions of existing overseas property. Maintenance activities have been neglected and renewal of existing capital investment is both cost effective and of high priority.

Meet increased demands for continued security of U.S. diplomatic personnel, particularly in Europe.

Expand its global information processing capability to meet increased workload demands and improve its management efficiency through: Training and positions for information systems managers to support the Department's investment in automated data processing (ADP) systems worldwide; and systems for personnel transactions and the Foreign Service national payroll.

Finally, pursuant to the congressional desire expressed in the 1983 authorization bill (Public Law 97-241) and, more recently, in the Second Continuing Resolution of last December, the Department plans to reopen seven consultates in Bremen, Brisbane, Goteborg, Mandalay, Nice, Salzburg, and Turin—subject to host government final approval. The Department's objective is to reopen these posts in August or September on a minimal staffing basis.

In approving the Department's fiscal year 1984 Administration of Foreign Affairs request, the Committee reaffirmed its commitment to the Department to provide sufficient personnel and resources to perform the political and economic reporting and analysis which is so essential to protect U.S. interests abroad by adopting an amendment proposed by Senator Lugar which earmarked funds to increase its political and economic reporting ability (see section 108).

FISCAL YEAR 1985 REQUEST

In addition to its fiscal year 1984 request and in keeping with the President's multi-year planning estimates, the Department submitted a request for $1,574,520 for the administration of Foreign Affairs account in fiscal year 1985. The following chart compares the fiscal year 1984 request with the fiscal year 1985 request.

Comparison of Fiscal Year 1984 With Fiscal Year 1985 Request

[Dollars in thousands]

Administration of Foreign Affairs	Requested 1984 authorization	Requested 1985 authorization	Difference
Salaries and expenses	$1,148,586	$1,179,146	$30,560
Representation allowances	4,247	4,429	182
Acquisition, operation and maintenance of buildings abroad	202,889	264,595	61,706
Acquisition, operation and maintenance of buildings abroad, special foreign currency program	10,113	28,045	17,932
Emergencies in the Diplomatic and Consular Service	4,400	4,400	
Buying power maintenance	4,500		−4,500
Payment to the American Institute in Taiwan	9,475	9,648	173
Payment to the Foreign Service retirement and disability fund	89,503	84,257	−5,246
Total	1,473,713	1,574,520	100,807

The Committee chose to straight-line the fiscal year 1984 figures ($1,473,713) into fiscal year 1985 on the basis that the congressional presentation materials for fiscal year 1985 were insufficient to justify an increase and presented an inadequate assessment of what the Department's real needs will be. It is the committee's view that its oversight responsibility can be better exercised in the consideration of an Administration supplemental request submitted next year based on real needs rather than the current budgetary guesswork.

REPORT FROM THE OFFICE OF FOREIGN MISSIONS

During the consideration of the Administration of Foreign Affairs category, the Committee agreed to a proposal of Senator Mathias to direct the Department to provide an annual report to the Committee on the implementation of the Foreign Missions Act of 1982 (Public Law 97-241). It should accompany the Department's annual budget submission to the Congress each year.

This report shall enumerate and identify the foreign missions operating in the United States for which the Secretary, through the Office of Foreign Missions, has set terms and conditions or denied privileges, benefits or immunities. The report shall describe the nature of the constraints placed on such foreign missions. It shall also describe any perceptible change in constraints imposed upon the U.S. missions in those foreign countries.

The report shall describe any actions taken by the Office to insure that its terms and conditions are observed, including issuance of Federal regulations and notices, notices to businesses, service providers, and State and local governments concerning benefits to be permitted or conditions imposed on foreign missions. Any record keeping requirements that are imposed on business or government agencies by such enforcement actions shall be described, together with an assessment of the paperwork burden resulting therefrom.

The number of leases, the term of each, and names of the lessee nations for chancery and related space at the International Center

in the District of Columbia shall be enumerated. A projection of the disposition of uncommitted sites shall be included.

The number of leases, term of each, square footage and names of lessee nations for office and related space in the INTELSAT building at the International Center shall be enumerated, along with an explanation of the reasons therefore.

The availability of multi-lingual facilities, auditorium and parking space on a temporary and intermittent basis in the INTELSAT building shall also be reported.

The names of foreign missions assisted by the Office of Foreign Missions shall be reported along with a description of the assistance rendered. The names of foreign mission chancery cases to come before the District of Columbia Board of Zoning Adjustment or Zoning Commission, the assistance provided by the Office of Foreign Missions, and the final disposition of each case shall be reported. The same information shall also be provided on foreign consulate cases in other U.S. cities.

The Committee expects that coordination will continue to be maintained with law enforcement agencies, including the Secret Service, with regard to the location of foreign chanceries in the District of Columbia and the locating of consulates in cities throughout the United States. This coordination shall include notification by the Office of Foreign Missions to those agencies of individual nations' property use requests.

Lastly, the annual report shall evaluate the effectiveness of the operations of the Office of Foreign Missions in achieving diplomatic reciprocity and enhancing national security, and make recommendations for changes in existing procedures, regulations or law, where warranted.

FOREIGN SERVICE RETIREMENT

The President has proposed far-reaching changes in the Federal retirement system, including changes in the Foreign Service retirement system. This Committee, which has jurisdiction over Foreign Service personnel, believes that any proposals to alter the Foreign Service retirement system must take into account the unique, difficult, and often dangerous conditions under which Foreign Service Officers serve.

Illustrative of these dangers are the 11 hostage/kidnapping incidents involving American diplomats since 1970 and the more than 150 other incidents during the same period featuring attacks against diplomatic installations, individual members of the Service, and their property. Since 1968, 5 Ambassadors and five other Foreign Service Officers have been killed by terrorists. (These figures do not include the numbers of dead and wounded in the recent bombing of the American Embassy in Beirut.)

These difficult conditions, and the "up-or-out" mandatory retirement features of the Foreign Service personnel system, are the primary reasons for the existing early voluntary retirement age—age 50 with 20 years of service. If the Foreign Service retirement system is changed to prevent or penalize early retirement, such as the President has proposed with the imposition of a 5 percent of

annuity penalty for each year an individual retires under age 60, it may damage the personnel system.

The Committee believes that any review of the Federal retirement system must include a separate review of the Foreign Service retirement system. Since oversight of the Foreign Service and its retirement system is within the jurisdiction of this Committee, we expect the the Administration to submit any proposed changes in the Foreign Service retirement system to this Committee in advance for our approval or, alternatively, for the preparation of legislation to maintain the unique features of the Foreign Service retirement system.

HUMAN RIGHTS BUREAU

One of the vital functions of the Bureau of Human Rights and Humanitarian Affairs is to insure that the Department has accurate and timely information on the status of political prisoners. The Bureau is also responsible for insuring timely expressions of U.S. interest in individual cases. The Committee is concerned that the resources of the Bureau are not adequate to cover and make representations in any cases where such representations are warranted. The Committee urges the Department to devote greater resources to this objective. The Committee would also urge the Department to take a greater role in cases, including having official observers attend the trials of political prisoners where appropriate.

The Committee is also concerned at the length of time required for a Departmental response to public and congressional inquiries about individual human rights cases. Since many of these inquiries relate to family and friends of American residents, there is a particularly acute need for prompt responses.

2. International Organizations and Conferences

FISCAL YEAR 1984 REQUEST

This item includes funds to cover assessed contributions to international organizations of which the United States is a member; contributions for United Nations peacekeeping activities; and United States participation in multilateral international conferences.

The Administration is requesting $602,343,000 for this category in fiscal year 1984. This represents a net increase of $83,539,000 in this category over the 1983 appropriation level. This increase primarily reflects the return to full fiscal year funding of U.S. assessments to 11 international organizations after completion of the deferral process that encompassed the 1981 through 1983 budgets. This deferral process had the effect of charging fiscal year 1981 through 1983 each with less than a full year's contributions. Since the deferral program is now complete, the United States obligations to these 11 organizations for calendar year 1983 must be met in full from fiscal year 1984 funds or the United States will be placed in immediate arrears, a violation of its treaty obligations.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Comparison of Fiscal Year 1984 Authorization With Fiscal Year 1983 Appropriation

[Dollars in thousands]

	Estimated 1983 appropriation		Requested 1984 authorization		Difference	
	Positions	Amount	Positions	Amount	Positions	Amount
INTERNATIONAL ORGANIZATIONS AND CONFERENCES						
1 Contributions to international organizations		436,204		525,773		89,569
2 Contributions for international peacekeeping activities		73,400		66,948		−6,452
3 International conferences and contingencies		9,200		9,622		422
Total international organizations and conferences		518,804		602,343		83,539

The bulk of this item is slated to pay the U.S. share of its assessed contributions to various international organizations which is usually determined by a formula set forth in treaty law. The following table summarizes the United States assessed contributions for these organizations from fiscal year 1982 through fiscal year 1984.

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CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

SUMMARY OF PROGRAM AND PERFORMANCE

[In thousands of dollars]

	1982 actual	1983 estimate	Total 1984 request
United Nations	103,126	153,309	170,659
United Nations Educational, Scientific and Cultural Organization	34,831	40,002	50,770
International Civil Aviation Organization	5,570	4,197	6,548
World Health Organization	38,788	45,084	58,619
Food and Agriculture Organization	26,482	35,069	45,548
International Labor Organization	25,357	30,193	31,407
International Telecommunication Union	2,719	2,386	2,494
World Meteorological Organization	2,317	2,844	3,717
Intergovernmental Maritime Consultative Organization	215	326	527
Universal Postal Union	526	457	489
World Intellectual Property Organization	418	191	396
International Atomic Energy Agency	17,114	8,779	21,557
Subtotal, United Nations and affiliated agencies	257,463	322,837	392,731
Inter-American organizations:			
Inter-American Indian Institute	103	103	103
Inter-American Institute for Cooperation on Agriculture	11,058	11,318	11,813
Pan American Institute of Geography and History	274	274	301
Pan American Railway Congress Association	15	23	23
Pan American Health Organization	29,754	28,567	31,110
Organization of American States	57,917	46,452	45,259
Subtotal, Inter-American organizations	99,121	86,737	88,609
Regional organizations:			
South Pacific Commission	660	594	655
North Atlantic Treaty Organization	17,578	16,274	17,853
North Atlantic Assembly	329	311	335
Colombo Plan Council for Technical Cooperation	9	9	9
Organization for Economic Cooperation and Development	18,834	7,663	21,500
Subtotal, regional organizations	37,410	24,851	40,352
Other international organizations:			
Interparliamentary Union	232	246	279
International Bureau of the Permanent Court of Arbitration	8	6	7
International Bureau for the Publication of Customs Tariffs	39	34	37
International Bureau of Weights and Measures	288	279	312
International Hydrographic Organization	52	58	66
International Coffee Organization	615	.....	.....
International Institute for the Unification of Private Law	39	45	47
Hague Conference on Private International Law	64	122	49
Maintenance of Certain Lights in the Red Sea	26	16	17
Bureau of International Expositions	15	18	21
Customs Cooperation Council	1,700	1,294	1,515
International Center for Study of Preservation/restoration of Cultural Property	371	374	528
International Organization for Legal Meterology	46	44	48
International Agency for Research on Cancer	999	1,029	1,066
General Agreement on Tariffs and Trade	3,015	1,411	3,289
International Office for Epizootics	89	40	40
World Tourism Organization	200	213	229
International Cotton Advisory Committee	113	138	137
International Rubber Study Group	34	41	46
International Seed Testing Association	4	3	4
Lead and Zinc Study Group	21	22	25
International Sugar Organization	211	.....	.....
International Natural Rubber Organization	.....	230	255
Subtotal, other international organizations	8,181	5,663	8,017
Subtotal, contributions to international organizations	402,175	440,088	529,709
Subtotal, conduct of diplomatic relations through international organizations	402,175	440,088	529,709
Total obligations	402,175	440,088	529,709
Repayment	−3,414	−3,431	−3,551
Interest payment	−521	−453	−385
Total budget authority	398,240	436,204	525,773

In recent years, the Committee has requested the executive branch to review the funding of the above-listed international organizations (see S. Rept. 97–71) to determine if there are certain ones that do not serve the U.S. national interest. In approving the Administration's funding levels for this category, it is the committee's assumption that the above-listed organizations do indeed serve the U.S. national interest in a manner commensurate with the cost of the U.S. membership to such organizations.

FISCAL YEAR 1985 REQUEST

The Administration requested $645,978,000 for International Organizations and Conferences for fiscal year 1985. This represents a $43,635,000 net increase over the fiscal year levels (see following table).

Comparison Fiscal Year 1984 With Fiscal Year 1985 Request

[Dollars in thousands]

	Requested 1984 authorization	Requested 1985 authorization	Difference
INTERNATIONAL ORGANIZATIONS AND CONFERENCES			
Contributions to international organizations	525,773	568,798	43,025
Contributions for international peacekeeping activities	66,948	67,000	52
International conferences and contingencies	9,622	10,180	558
Total	602,343	645,978	43,635

In approving this request, the Committee notes that the increase is largely due to inflation in the assessed contributions which are obligated by treaty law.

3. INTERNATIONAL COMMISSIONS

FISCAL YEAR 1984 REQUEST

Under the heading International Commission, $23,207,000 is requested in fiscal year 1984 to meet the U.S. treaty commitments under boundary agreements with Canada and Mexico, and to cover the U.S. share of expenses as a member of 11 international fisheries commissions. In comparison to current 1983 levels, this category reflects an overall increase of $2,835,000. The increase is primarily the result of wage, price and other built-in increases. Also included is the continuation of the Boundary Treaty Projects construction project along the United States-Mexican border.

INTERNATIONAL COMMISSIONS

Comparison of Fiscal Year 1984 Authorization with Fiscal Year 1983 Appropriation

[Dollars in thousands]

	Estimated 1983 appropriation		Requested 1984 appropriation		Difference	
	Positions	Amount	Positions	Amount	Positions	Amount
INTERNATIONAL COMMISSIONS						
1. International Boundary and Water Commission, United States and Mexico:						
Salaries and Expenses:						
Regular Act	275	$8,754	275	$9,849	.....	$1,095
Proposed supplemental for Federal salary increases	.....	174	.....	.....	.....	−174
Salaries and expenses total	275	8,928	275	9,849	.....	921
Construction	12	.....	12	679	.....	679
Subtotal	287	8,928	287	10,528	.....	1,600
2. American sections, international commissions	31	2,918	31	3,461	.....	543
3. International Fisheries Commissions	.....	8,526	.....	9,218	.....	692
Total international commissions	318	20,372	318	23,207	.....	2,835

With respect to U.S. efforts on international fisheries commissions, various members of the Committee are encouraged by the progress in the negotiations for a regional tuna fishing licensing agreement for the Eastern Pacific Ocean. The United States, Costa Rica and Panama signed a treaty on March 15, 1983, in San Jose, Costa Rica which promises to help end the past tuna controversies in the area. However, three coastal countries in the region must sign before the treaty becomes effective. Therefore, the Committee urges the Secretary of State to give high priority to bringing the treaty into force by continuing contacts with prospective member countries and by providing the resources necessary to accomplish this goal.

The Committee recommends that the Senate approve a funding level of $23,207,000 for this category in both fiscal year 1984 and fiscal year 1985.

4. Migration and Refugee Assistance

FISCAL YEAR 1984 REQUEST

This category provides for U.S. assistance to migrants and refugees through contributions to the Intergovernmental Committee for Migration (ICM), the United Nations High Commission for Refugees, the International Committee of the Red Cross (ICRC), and direct assistance to or on behalf of refugees from various countries through voluntary agencies. Although this program is funded through the Foreign Assistance Appropriations Act, it is authorized through the Foreign Relations Authorization Act.

In fiscal year 1984, the Department is requesting $344,500,000 to provide refugee assistance through contributions to a variety of in-

ternational organizations. The decrease of $50.5 million is primarily attributable to an anticipated decline in the number of Indochinese refugee admissions to the United States from 64,000 to 46,000 and to lower requirements for refugee relief in various areas of the world. The decreases are partially offset by an $8 million increase in refugee assistance to Latin America, primarily in Central America.

MIGRATION AND REFUGEE ASSISTANCE

Comparison of Fiscal Year 1984 Authorization with Fiscal Year 1983 Appropriation

(Dollars in thousands)

	Estimated 1983 appropriation		Requested 1984 authorization		Difference	
	Positions	Amount	Positions	Amount	Positions	Amount
MIGRATION AND REFUGEE ASSISTANCE						
Migration and refugee assistance	.....	$395,000	.....	$344,500	.....	−$50,500
Total, Migration and Refugee Assistance and Other Activities						

The following table provides a breakdown of the Administration's request:

SUMMARY TABLE

Fiscal year 1982 actual—fiscal year 1984 request

(In thousands of dollars)

Activities	Fiscal year 1982 actual	Fiscal year 1983 request	Continuing resolution	Fiscal year 1984 request	Change from 1983
Administration	6,593	7,562	7,562	7,600	38
Refugee Assistance:					
Indochina:					
C&M, UNHCR	22,990	17,400	17,400	11,700	−5,700
Khmer relief	12,561	12,000	12,000	10,000	−2,000
Subtotal	35,551	29,400	29,400	21,700	−7,700
Resettlement assistance		10,000	8,000	7,000	−1,000
Africa:					
UNHCR	48,889	61,000	56,500	40,000	−16,500
ICRC	7,000	7,900	7,900	6,300	−1,600
Special projects	11,353	8,000	8,000	6,500	−1,500
Subtotal	67,242	76,900	72,400	52,800	−19,600
Near East:					
UNRWA	67,000	72,000	72,000	72,000	
Special	14,500				
Lebanon (allocation)	10,000				
Pakistan:					
UNHCR	24,150	33,000	33,000	28,000	−5,000
Other	1,725	5,000	3,500	3,000	−500
Subtotal	117,375	110,000	108,500	103,000	−5,500
Latin America:					
UNHCR	8,200	5,000	5,000	11,000	6,000
Other	4,800			2,000	2,000
Subtotal	13,000	5,000	5,000	13,000	8,000
Subtotal, relief	191,168	231,300	223,300	197,500	−25,800
Other activities:					
ICM:					
Assessed	2,450	2,700	2,700	3,100	400
Voluntary	2,100	2,000	2,000	2,000	
ICRC:					
Ordinary	1,500	2,000	2,000	2,000	
Other	820				
Pol. Det	1,500	1,750	1,750	1,750	
UNHCR—Other	1,000	1,000	1,000	1,000	
Subtotal	9,370	9,450	9,450	9,850	400
Refugees to Israel	12,500	12,500	[1] 16,875	12,500	−4,375
Subtotal, other	21,870	21,950	26,325	22,400	−3,925
Admissions:					
Voluntary Agencies	20,319	27,093	21,190	20,500	−690
Transportation	63,442	67,545	59,273	46,565	−13,708
R&P	51,506	54,050	47,850	39,495	−8,355
ESL	10,830	9,500	9,500	10,440	940
Subtotal admission	146,097	158,188	137,813	117,000	−20,813
Grand total	408,035	419,000	395,000	344,500	−50,500

[1] Congressional authorization earmarked $16,875,000, amount greater than RP request. Difference taken from admissions transportation, where some savings realized.

As stated above, the fiscal year 1984 request for this item is a decrease of $50.5 million from the fiscal year 1983 continuing resolution level of funding. Half of this decrease has been made possible by the success of the Department's efforts to reduce refugee admissions to the United States, while continuing to respond to humanitarian needs and U.S. foreign policy interests and responsibilities.

The other half is credited to the absence of such large-scale refugee crises as were experienced in past years, such as the surge of Vietnamese boat people and the Somalia crisis. Furthermore, the Department is attempting to "internationalize" the world's response to refugee problems—that is, to encourage broader participation by other nations in supporting refugee programs, especially other developed countries which are able to carry a bigger share of the burden.

The request for fiscal year 1984 is presented in four major subdivisions. The first area is refugee admission, with a request of $117.0 million. This figure is about 34 percent of the total request and a decrease of about $25 million from the fiscal year 1983 funding level. The request is based on the admission of 72,000 refugees to the United States in fiscal year 1984, representing a reduction of 18,000 from the fiscal year 1983 consultations level, and one-third the 217,000 consultations level of fiscal year 1981. The 72,000 projected admissions are divided among 46,000 East Asians, 15,000 from the Soviet Union and Eastern Europe, 6,000 from the Near East and South Asia, 2,000 from the Western Hemisphere, and 3,000 from Africa.

Funding requested for relief assistance to refugees overseas in fiscal year 1984 is $197.5 million, about 57 percent of the total request and a decrease of $25.8 million from the fiscal year 1983 funding level. Three years ago, the composition of the request was about two-thirds for admission and one-third for relief assistance. The Department has reversed these percentages reflecting the determination of the Administration to seek solutions to refugee crises other than admission to the United States. It has sought to address refugee needs through assistance in the countries of first asylum and through pursuit of repatriation, resettlement in countries of asylum, or resettlement in third countries other than the United States.

Also included in the request is $22.4 million for "Other Activities." This item includes the U.S. contribution of $2 million to the so-called "ordinary program" of the International Committee of the Red Cross for their administrative expenses, as well as a $1.75 million contribution to their special program for visitation of political detainees. The Intergovernmental Committee for Migration is funded at about $3.15 million for their assessed administrative budget, and about $2 million for their voluntary programs—the same level as for fiscal year 1983.

For fiscal year 1984, the Department is requesting $7.6 million for administrative expenses, an increase of only $38,000 from fiscal year 1983. This assumes maintaining the current worldwide staff level of 98 positions.

With respect to fiscal year 1985, the Department is requesting authorization of $326.4 million. Of this total, $89.4 million is re-

quested for admission, $205.7 million for refugee assistance overseas, $23.4 million for other and $7.9 million for administrative funds.

The Committee recommends that the Senate approve the Department's request of $344,500,000 in fiscal year 1984 and $326,400,000 in fiscal year 1985 for this line item.

INTERNATIONAL COMMITTEE OF THE RED CROSS

Over the years the International Committee of the Red Cross has had a vital role in implementing international humanitarian law with regard to prisoners of war, refugees, political prisoners, and others in distress. The Committee strongly supports U.S. contributions to the ICRC core budget, and to its various programs and special appeals.

The Committee notes that there is now a large deficit in the ICRC program for visits to prisoners of war in the current Iran-Iraq conflict. The failure of the ICRC to perform effectively the functions assigned to it under the Geneva Convention could seriously undermine the entire fabric of international law with regard to prisoners of war and could set a dangerous precedent for future conflicts.

The Committee therefore urges the Administration to make a suitable contribution to the ICRC special appeal for visits to prisoners of war in the Iran-Iraq conflict. This contribution is intended to uphold international humanitarian law and to provide humanitarian assistance to prisoners of war, which in the case of the Iranian POWs includes large numbers of children facing execution should they be repatriated to Khomeini's Iran. The contribution should not be construed as an endorsement of either party in the tragic and pointless Persian Gulf War.

5. Bilateral Science and Technology Agreements

In 1982, this line item authorization included the United States share of expenses for bilateral science and technology agreements with Poland and Yugoslavia. The negotiations on a new agreement with Poland, which was originally scheduled to come into force in 1982, have been deferred pending a return to more normal conditions in that country. The fiscal year 1984 and 1985 requests of $1,700,000 only provide for the continuing agreement between the United States and Yugoslavia.

Action on a new science and technology agreement with Poland to replace a similar agreement which expired on December 31, 1981, has been suspended until the internal situation in Poland improves. The $2,000,000 which was appropriated in fiscal year 1982 for this program has therefore been deferred, and the funding requests for fiscal year 1983 and fiscal year 1984 have been eliminated. The current deferred balance of $2,000,000 gives the Department the flexibility to resume its cooperative scientific activities in a manner which signals U.S. support for a return to more normal conditions in Poland, more specifically within the Polish scientific community. A future agreement would continue valuable research efforts carried out by the United States-Poland Joint Board under the earlier agreement. Benefits have resulted from projects under

that agreement in, among other things, coal mining techniques and coal liquefaction, teaching mentally retarded children, prevention of heart disease, agriculture, and environmental protection.

The agreement with Yugoslavia provides for a United States-Yugoslavia Joint Board on Science and Technology Cooperation which approves projects in the areas of technology, agriculture, ecology, health, transportation, and basic sciences. To date, more than 100 projects have been administered by 11 U.S. agencies. Sample topics have been earthquake study; rehabilitation of the handicapped; health problems of coal gasification; and improved animal feed. These activities have proven to a helpful means of furthering long-term cooperation and friendly relations between the United States and Yugoslavia. Funding requested in fiscal year 1984 represents the fifth year of the current $7,000,000 five-year agreement.

To avoid aggravating the U.S. balance of payments, the Department intends, with few exceptions, to use appropriated dollars to purchase U.S.-held near-excess Yugoslav dinars as long as they last, for deposit into the Joint Fund managed for the agreement.

SECTION 103. WORLD INTELLECTUAL PROPERTY ORGANIZATION

The Paris Convention of 1883 established the International Union for the Protection of Industrial Property. The purpose of this organization is to provide minimum protection for the patented inventions and trademarks of the United States and other member nations. Public Law 92-511 currently limits the United States annual contribution to the Paris Union to a maximum of 4.5 percent of the total expenses of that organization. The purpose of this section is to remove that statutory limitation to allow the United States to pay 4.57 percent of the expenses of the Paris Union. This percentage will amount to $283,000 in fiscal year 1984.

SECTION 104. ELIMINATION AND MODIFICATION OF REPORTS

The purpose of this section is to eliminate or modify 10 reporting requirements from existing law for the following reasons: (a) the requirement has been fulfilled; (b) the information is reported elsewhere; or (c) the information has elicited little or no congressional interest.

Specifically, this section:

(a) Deletes the legislative requirement to transmit annual reports to Congress for 3 years, beginning January 20, 1979, on domestic travel restrictions being imposed by the U.S. Government on citizens of other countries and vice versa, and efforts to eliminate these restrictions;

(b) Deletes the legislative requirement to transmit a report to Congress on orientation and language training programs for family members of U.S. Government employees assigned abroad;

(c) Deletes the legislative requirement to transmit a report to Congress every 6 months during the 2 years beginning on April 10, 1979, describing and reviewing economic relations between the United States and Taiwan;

(d) Deletes the legislative requirement to transmit to Congress within 60 days of November 13, 1979, a report showing the estimated total cost to the U.S. Government during fiscal year 1980 and

fiscal year 1981 of domestic and foreign assistance to refugees under all programs of the U.S. Government and the estimated cost of such programs to State and local governments;

(e) Deletes the legislative requirement to transmit to Congress by January 31, 1978, a report on the Office of the Assistant Secretary for Human Rights and Humanitarian Affairs, including the current mandate and operations and proposals for reorganization that would strengthen human rights in U.S. foreign policy;

(f) Deletes the requirement for a complete and detailed report of the Institute for Scientific and Technical Cooperation's operations;

(g) Deletes an annual report by five agencies (State, USIA, AID, Agriculture and Commerce) on the status of professional development in the Foreign Service;

(h) Deletes the requirement for the President to report annually in international science and technology activities, which is largely duplicated in the international affairs section of the President's Annual Science and Technology Report to the Congress required by the National Science and Technology Policy, Organization, and Priorities Act of 1976;

(i) Deletes the requirement that every vessel application for fishery permits be sent to three congressional committees; and

(j) Deletes the requirement to transmit to Congress no later than March 1, 1981, a study of which agency is best able to administer the refugee resettlement program.

In addition to the above, the Administration requested the deletion of an annual reporting requirement on the efforts of the U.S. Government to arrive at international agreements designed to develop standards and regulations which protect the stratosphere. The Committee rejected the Administration's request to delete this requirement on the basis that there continues to be strong public interest in a possible agreement on this issue.

SECTION 105. CONSULAR PROTECTIVE SERVICES

This section is designed to meet the United States obligations under the Vienna Convention on Consular Relations, the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, and other international laws and conventions. In essence, this provision would authorize an appropriation of $6 million in fiscal year 1984 and fiscal year 1985 to permit the Secretary of State to request extraordinary protective services for foreign consular personnel from State and local police jurisdictions.

In recent years, terrorist acts of violence directed at diplomats and their families throughout the world have made it increasingly difficult for nations to conduct foreign policy. The United States has not been free from this problem. On January 28, 1981, the Turkish Consul General was murdered in Los Angeles and on May 4 the Honorary Turkish Consul General in Boston was killed. This increasing level of terrorist attacks against foreign consular personnel is a matter of serious concern to the Administration. It is the goal of the State Department to provide increased protection for foreign personnel which is comparable to that provided U.S. diplomats abroad.

Other governments, with some exceptions, are carrying out fully the obligations of the Vienna Conventions with respect to American personnel. A 1981 survey of U.S. embassies indicated that foreign governments devote approximately 3,000 work years to the protection of our diplomats.

The Federal Government has recently been directly involved in the protection of foreign consular personnel in the United States at some 1,400 locations. In the past, this responsibility has been discharged entirely by the local and State governments within available resources. Their obligation is to provide equal protection of the law to all persons within their jurisdiction as stated by the Constitution. Whenever the Secretary of State has requested that they provide extraordinary protection, such as fixed guard posts of a Consulate building or residence, or bodyguard protection to a consular officer who has been specifically threatened, they have been reluctant, or refused. Local authorities consider the obligation of the Vienna Conventions to prevent any attack on the person, freedom or dignity of a diplomatic or consular officer a Federal obligation that goes beyond their law enforcement responsibilities.

The Administration considers this position to be reasonable and consistent with the historic and constitutional division of power between the Federal and State Governments. Accordingly, the Administration is requesting in cases of extraordinary need, that the Secretary of State be authorized to reimburse State and local jurisdictions for reasonable expenses in discharging certain requested protective services. It is estimated that in fiscal year 1984 approximately $6 million will be needed for this purpose.

The authority for the Federal Government to provide such services is contained in sections 202, 204 and 208 of the Foreign Missions Act (Title II, Public Law 97-241).

In establishing the basis of reimbursement to State and local governments for diplomatic protection services rendered at the request of the Department of State, the following criteria shall be followed in determining extraordinary expenses:

(a) Fixed guard posts placed at any foreign consular premises; residences of any consular officers or other foreign diplomatic officials; and at any other foreign governmental offices, including tourist, trade, cultural, airline, military and industrial development offices and missions for more than a continuous 24-hour period of time.

(b) Protective security details consisting of two or more law enforcement officers employed for the ninth hour and each succeeding hour beyond a normal 8-hour work period.

(c) All costs will be reimbursable if the allocation of law enforcement resources required to perform services described in (a) and (b) above exceeds six or more officers.

Expenses which would not be considered extraordinary include:

Routine threat assessment determinations.

Liaison activities which the State and local officials' routinely perform with Federal and foreign officials.

Fixed guard posts which are in place less than 24 hours.

A two or more person detail for the first 8 hours of a protective detail.

Continuous monitoring during the duration of the visit of a foreign official both when their is a specific threat concern or a non-specific threat concern.

The training of personnel required for the unique demands of protecting foreign officials and foreign diplomatic posts.

SECTION 106. INTERNATIONAL RESTRICTIONS ON U.S. EXPORTS

On April 15, 1983, Senator Pressler introduced a resolution (S. Res. 115) which expressed the sense of the Senate on the need to facilitate United States exports by opposing international restrictions on the marketing and distribution of U.S. goods.

This section incorporates that resolution and is intended to direct U.S. Government representatives to various international organizations to oppose all proposed marketing and distribution regulations or guidelines which unnecesarily impede the export of U.S. agricultural and other products.

This section was adopted in response to the growing trend in various U.N. organizations to promote politically-inspired regulations designed to foster the redistribution of international economic and political power over a wide range of issues.

Specifically, there have been efforts in recent years:

to give developing nations guaranteed shares of the profits derived from cargo shipping and undersea mining;

to grant developing nation control over multinational corporations and the marketing of drugs, chemicals and infant formulas; and

to authorize countries to impose unnecessary restrictions on the movement of public information and commercial data over national borders.

In approving this section, it is the expectation of the Committee that the executive branch will better organize and coordinate its efforts to protect U.S. interests from various codes of conduct which are currently being considered by various U.N. organizations.

SECTION 107. COORDINATING COMMITTEE ON EXPORT CONTROLS

Over the years, the United States and its NATO allies have relied on the technological superiority of their weapons to preserve a credible counterforce to the quantitative superiority of the Warsaw Pact. However, this superiority is eroding as the Communist bloc introduces more and more sophisticated weapons—weapons which are all too often manufactured with the benefit of Western technology. The extent of illegal Soviet acquisition of Western technology and its impact on their capabilities is a matter of considerable concern. It is imperative that the United States do all that is possible to stem the flow of this technology to Soviet-bloc nations. One step that can be taken to slow this illicit traffic is to strengthen the Paris-based Coordinating Committee on Export Controls (COCOM).

COCOM is composed of 15 member nations (Belgium, Canada, Denmark, France, West Germany, Greece, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Turkey, United Kingdom and the United States). Its mission is to control the transfer of strategic commodities and technologies to prescribed countries which

could pose a threat to the members' national security interests of COCOM's members.

This section, offered as an amendment by Senator Percy, earmarks $2 million of the Department of State's Administration of Foreign Affairs account to enhance COCOM's capabilities by modernizing its equipment and increasing its personnel. This earmark should substantially assist COCOM in its efforts to prevent the flow of sensitive technology to the Soviet Union.

SECTION 108. ENHANCEMENT FOR OVERSEAS POLITICAL AND ECONOMIC REPORTING

It is the view of this Committee that funding for new positions for the State Department not be heavily weighted to Washington-based personnel. In the last 25 years, the overall size of State Department personnel overseas has remained the same even though these persons are manning nearly twice as many embassies. One unfortunate result has been a reduction of about 20 percent in political/economic reporting officers and a gradual weakening of area expertise. This problem was evident and recognized by the State Department after the Iran crisis. Even so, between 1980 and 1983, the number of political/economic positions overseas declined from 1,117 to 1,054 while total State Department personnel grew, albeit at a slow rate. The Committee recognizes the need for additional positions for fiscal year 1984, but believes 84 of the 307 new positions should be used for American economic/political slots overseas. The purpose of this section, offered as an amendment by Senator Lugar, is to earmark $8.4 million for that purpose.

SECTION 109. EMERGENCY EXPENDITURES

Under 22 U.S.C. 2671, the Secretary of State is authorized to expend funds "for unforeseen emergencies arising in the diplomatic and consular service. . . ." Neither the statutory language nor the legislative history of section 2671 provide further guidance on the intended meaning and scope of the term unforeseen emergencies or detailed criteria for how these funds are to be used. Expenditures from the emergencies account may be made solely on the certification of the Secretary of State. Such expenditures are confidential and unvouchered. A critical General Accounting Office report issued in 1982 indicated that the Department utilizes this account as a general-purpose fund.

The intent of this section, offered as an amendment by Senator Percy, is to clarify the purposes for which the emergencies account can be used and to impose certain requirements with respect to the repatriation loan program which is funded by this account.

The first three subsections: (1) establish a legislative criteria for determining the appropriateness of expenditures as unforeseen emergencies; (2) list the major categories for which this account can be used; and (3) require that a confidential annual study of the account be provided by the Inspector General of the Department of State to the Committees on Foreign Relations and Foreign Affairs.

The last subsection imposes certain requirements on the repatriation loan program to conform it to the provisions of the Debt Collection Act.

SECTION 110. ALTERNATIVE COMMUNICATIONS CENTER

The main Department of State communications center is a primary terminal and relay for over 50 U.S. Government agencies in Washington and overseas, handling approximately 15,000 record and data messages each day (10,000 relay messages, and 5,000 messages terminating at the Department of State). While there is some backup capability within the communications center, it remains susceptible to facilities failures or an external catastrophic occurrence. For example, in December 1978, a relatively minor power surge resulted in a catastrophic failure of the Department's communications capabilities. Since that time, there have been a total of 77 outages lasting an hour or more. More recently, in September 1982, a local power failure caused an outage of the switches through which the Department's communications circuits are passed, effectively isolating the Department from its facilities throughout the world. The risk to the Department's communications center becomes even more dramatic with the increased reliance on automated systems by user agencies. A circuit failure could result in the total loss of data being transmitted between computers and, on high speed circuits, even a short outage affects that amount of data. These outages also affect the circuit switching and relay functions on much of the traffic for which the Department is not even an addressee, but which comes into the building only to be routed onward to a distant location.

This section, offered as an amendment by Senators Sarbanes and Mathias, would earmark $3 million in fiscal year 1984 and $7 million in fiscal year 1985 to construct an alternative communications center in Maryland outside the District of Columbia electric grid.

SECTION 111. FOREIGN SERVICE VOTING RESIDENCE

It is the view of the Committee that the diverse background of the persons serving in the Foreign Service should be reflected in the laws governing their service. The Committee has been aware of interest expressed by Foreign Service Officers and representatives in the possibility of maintaining voting rights or association in the State of their origin.

This language offered as an amendment by Senator Lugar grants a new right and does not foreclose any old rights. Persons who wish to vote in the State in which they currently reside remain free to do so. This new right simply makes the option available to maintain voting privileges for national elections in the state of origin if one elects such State at the time of entry into the Foreign Service. This option is available only at the time of entry, and not at a later date.

SECTION 112. REGIONAL WILDLIFE RESOURCES ATTACHÉS

SECTION 113. INTERNATIONAL WILDLIFE CONSERVATION PROGRAM REVIEW

By including these sections, introduced by Senator Pell on behalf of Senator Chafee, the Committee adopts the substantive provisions of S. 1068, the International Wildlife Resources Conservation Act of

1983. As stated on April 26, 1983 (129 Cong. Rec. S5262–S5265), the purpose of this provision is to establish a comprehensive program to enable specialized agencies such as the Fish and Wildlife Service and the National Park Service to more efficiently share wildlife resources conservation capability and thus stimulate other governments and international organizations to better manage and conserve their wildlife resources. The provision is also intended to improve our own knowledge of the status of wildlife resources abroad and thereby provide reliable information upon which to base sound decisions and to guide U.S. actions.

The Secretaries of State and Interior, working together, will establish up to 10 "International Wildlife Resources Conservation Regions" and post "Regional Wildlife Resources Attachés" in those areas. The attachés will be employees of the State Department but the Interior Department will be cooperatively involved in ensuring that the attachés possess adequate technical backgrounds and in assessing the technical, wildlife resources conservation aspects of their performances. The duties of attachés will include: maintaining professional liaison with foreign wildlife conservation agencies and organizations; providing expert environmental/wildlife resources conservation staff advice to U.S. embassies, AID offices and others; acquisition and evaluation of data on the conservation status of wildlife, their habitats and the trends in wildlife consumption; and the assimilation of information needed to implement U.S. statutory and treaty obligations such as the Lacey Act, the Fisherman's Protective Act, the Endangered Species Act, the National Environmental Policy Act, the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and various migratory bird and other treaties.

At present there exists no system through which U.S. agencies can readily obtain reliable information on the wildlife resources of other nations. Many U.S. embassies assign requests for information of this kind to commercial or political officers. Some embassies do have scientific attachés, but these employees are generally physicists or chemists, and seldom have the time or necessary biological or ecological backgrounds.

Furthermore, these attachés are unevenly distributed; only one or two, for example, are to be found throughout the African continent. These regular embassy personnel are, through no fault of their own, unable to effectively monitor the status of fauna and flora or provide other professional assistance in wildlife matters.

The small network of wildlife resources attachés will provide a formal and reliable network for gathering wildlife resource information and for evaluating the sources of such information. It will provide a means to acquire data on the status of species, compile wildlife laws of other nations and assess the impact of U.S. actions on these resources. This should help guarantee that any restrictions upon U.S. businesses are justified and that the U.S. actions do not unnecessarily or unintentionally hazard the living natural resources of other nations. The International Wildlife Conservation Program Review should give us very practical suggestions as to how our limited resources can be allocated to do the greatest good and to evaluate the effectiveness of our actions.

The term wildlife resources is used to mean any noncultivated plants or nondomesticated animals, and the habitats upon which they depend. The term conservation is used broadly to include all activities associated with ecologically sound scientific resource management. Reference to international organizations includes international wildlife conservation organizations of which the U.S. Government or any department or agency thereof is a member.

SECTION 114. MERGER OF FOREIGN SERVICE INFORMATION CORPS WITH FOREIGN SERVICE CORPS

This section, offered by Senator Pell, changes the designation of members of the Foreign Service at the United States Information Agency from Foreign Service Information Officers to Foreign Service Officers. In adopting this provision, the Committee is in effect establishing a fifth cone, the information cone, of the Foreign Service. The cone consists of Foreign Service Officers performing information and related functions at USIA.

The purpose of this section is to direct the Secretary of State and the Director of the United States Information Agency to implement policies and procedures to give Foreign Service Officers of USIA the same opportunities that other Foreign Service Officers have to compete for Chief of Mission assignments and for out of cone assignments.

It is the intent of the Committee that this provision would not require that Foreign Service Officers at USIA be recommissioned.

SECTION 115. UNITED NATIONS EDUCATION, SCIENTIFIC AND CULTURAL ORGANIZATION—U.S. NATIONAL COMMISSION

The U.S. National Commission for UNESCO was established in 1946 by Public Law 79–565. The Commission was created to advise the U.S. Government on UNESCO's programs and budget and to serve as an information and community action link between the American people and UNESCO. Pursuant to these functions, the Commission frequently sponsors or co-sponsors symposia and less formal meetings at which specialized topics of public concern are explored in depth by specialists invited by the Commission to participate. The Commission organizes and carries out operating programs in fields such as the environment, drug abuse prevention, population, and human rights. The Commission also assists UNESCO in securing experts for UNESCO's international conferences and seminars. Additionally, the Commission assists in proposing qualified Americans for positions in the UNESCO Secretariat in Paris and in technical assistance projects in other countries. It cooperates with National Commissions of other member states abroad in carrying out its program.

The Commission consists of 100 members. Of these, 60 are representatives of principal national voluntary organizations; 25 are from the Federal Government and from State and local governments; and 15 members are selected at large. Members are appointed for 3-year terms.

Throughout its existence, the Federal Government has funded a Secretariat for the Commission.

This section, proposed by Senator Pell, earmarks $225,000 for funding the Secretariat of U.S. National Commission for UNESCO. The National Commission provides the linkage between the American academic, cultural and scientific communities and UNESCO. It is important that the Commission Secretariat have adequate resources to carry out this function, so that Americans can fully participate in UNESCO programs and fully benefit from them.

SECTION 116. WORLD HERITAGE TRUST FUND

This provision, sponsored by Senator Pell, earmarks $248,500 for the World Heritage Trust Fund. The Fund, established by the World Heritage Convention to which the United States is a party, seeks to list and protect places of exceptional natural, cultural or historic value.

SECTION 117. ACID RAIN

This section, offered by Senator Cranston, addresses the serious adverse impact of long-range transboundary air pollution, including acid rain, on United States-Canada relations. The Committee considers the maintenance of the close relationship between the United States and Canada as one of our most important foreign policy objectives, as this relationship is essential to the security and well-being of both countries. Because acid rain has become a major bilateral issue between the United States and Canada, the Committee considers it timely that Congress address the problem. The language of the amendment is self-explanatory.

SECTION 118. FOREIGN RELATIONS PUBLICATIONS

The section, introduced by Senator Mathias, expresses Congressional concern about the excessive delays currently experienced in the publication of the Department of State's historical series entitled, "The Foreign Relations of the United States." This section urges that the publication of this series occur within twenty-five years of the historical events recorded by the series. Subsection (b) requires the Department's historian to provide the Committees on Foreign Relations and Foreign Affairs with a report explaining the reasons for the current delays and a plan of action for the future.

SECTION 119. INTERNATIONAL AGREEMENT ON NATURAL GAS

The problem of rising natural gas prices is a matter of serious concern. While many people across the country are facing increasing economic difficulties, they are also being hit on average with 25 percent—and in some areas up to 60 percent—hikes in their gas bills. The purpose of this section, introduced by Senator Percy, is to address one important aspect of this problem—the continued importation of natural gas at above-market prices.

The current border price for Canadian and Mexican gas is $4.40 per million BTU—well above most domestic gas prices. In the 1970's, a consensus was reached in this country that the United States may have to pay a premium for domestic fuel if such a pricing policy could significantly reduce U.S. dependence on Mideast oil. However, it is the belief of the Committee that the United

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States should not, however, be expected to pay a premium, as it is currently doing, for imported natural gas when many of our domestic producers are being forced to shut-in gas wells. With less expensive gas generally available to replace this higher cost gas, the pipelines are obligated by high take-or-pay requirements to continue taking the imported gas priced far above fair-market levels.

It is the purpose of this section to make it the sense of the Congress that:

(1) the United States Government should move immediately to promote lower prices and fair market conditions for imported natural gas; and

(2) thirty days after the date of enactment of this section, the Secretary of State, with the assistance of the Secretary of Energy, should prepare and transmit to the Congress a report on the progress made in achieving lower prices and fair market conditions for imported natural gas.

Although there have been some bilateral discussions with the Canadians on this issue, the Committee is concerned that these discussions have not had the sense of urgency that this issue requires. It is the U.S. public who consume this gas who will pay for the delays.

Canada has always been our closest trading partner, and the Committee has no doubt that the importation by the United States of Canadian gas will continue to be mutually beneficial. But to keep this a viable trading relationship of mutual benefit, the gas must be available at a fair-market price.

SECTION 120. HUMAN RIGHTS PROJECTS IN SOUTH AFRICA

The Committee adopted an amendment, sponsored by Senators Kassebaum and Percy, that would earmark $1,000,000 of the funds made available for the Administration of Foreign Affairs for use by the Assistant Secretary for Human Rights and Humanitarian Affairs for grants of no more than $10,000 to non-governmental organizations in South Africa promoting a more just society or aiding the victims of apartheid. The Committee's intention is that administrative procedures for this grant program be kept simple, thus encouraging a broad range of organizations of this nature, including those newly formed or of a voluntary nature, to apply and receive grants under this program. It is the belief of the Committee that this program can be implemented by personnel already in place with a minimum of bureaucratic requirements. The $10,000 maximum grant should by no means be considered a minimum, and it is anticipated that the average grant would be less. The Committee believes that the wider the distribution of grants, the greater the foreign policy and human rights significance of the grants.

SECTION 121. ANTITERRORISM

Senator Pressler offered an amendment which was agreed to by voice vote prohibiting funds for international organizations to be used for the U.S. proportionate share for programs for the Palestine Liberation Organization, the South West Africa Peoples Organization, Cuba or Iran. In offering this amendment, Senator Pressler expressed the intent that no U.S. tax dollars should be uti-

lized to support, in any way, groups or governments which either directly or indirectly support terrorism as a means to effect political change.

TITLE II—UNITED STATES INFORMATION AGENCY

SECTION 201. SHORT TITLE

This title may be cited as the "United States Information Agency Authorization Act, Fiscal Years 1984 and 1985."

SECTION 202. AUTHORIZATION OF APPROPRIATIONS, FISCAL YEARS 1984 AND 1985

This section provides a general authorization of appropriations for the United States Information Agency (USIA) in accordance with the provisions of Section 701(a) of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1476(a)). The proposed authorization will enable the Agency to carry out international communication, educational, cultural and exchange programs under the United States Information and Educational Exchange Act of 1948, as amended (the "Smith-Mundt Act"); the Mutual Educational and Cultural Exchange Act of 1961, as amended (the "Fulbright-Hays Act"); and Reorganization Plan No.2 of 1977.

In its original fiscal year 1984 request, the Administration asked for $711 million, an increae of $165.9 million (30.4 percent) over the amounts appropriated in fiscal year 1983 (Public Law 97-377). This increase would have been utilized to meet new additional operating costs for the USIA staff and programs that will continue in effect throughout 1984; to expand the democracy and public diplomacy program; to annualize the staff and operating improvements initiated in 1983 to correct deficiencies in the Voice of America's language services, engineering operations, and other support programs; to fund the systems engineering and architectural and facilities design costs related to the proposed modernization of all VOA relay stations, expansion of selected operational sites, and construction of new facilities; and to enhance and expand other Agency programs and activities.

The Agency hoped to use part of the increased funding to enlarge its staff levels from 8,606 to 8,886 positions. The following chart provides a breakdown of this request.

U.S. INFORMATION AGENCY

COMPARISON OF 1984 REQUEST WITH 1983 APPROPRIATIONS

[In thousands of dollars]

Appropriations	1983 appropriations	1984 estimate	Increase (+) or decrease (−)
Salaries and expenses:			
Continuing appropriations (Public Law 97-377)	492,122	569,365	+77,243
Democracy and Public Diplomacy		65,000	+65,000
Salaries and expenses (special foreign currency program)	10,327	10,556	+229
Acquisition and construction of radio facilities: Continuing appropriations (Public Law 97-377)	25,000	47,959	+22,959

U.S. INFORMATION AGENCY—Continued

[In thousands of dollars]

Appropriations	1983 appropriations	1984 estimate	Increase (+) or decrease(−)
Center for cultural and technical interchange between east and west	18,000	18,547	+547
Grand total	545,449	711,427	+165,978

In fiscal year 1985, the Administration requested $871 million.

The Committee generally agreed that the increases requested by USIA were excessive. However, the Committee narrowly rejected an amendment by Mrs. Kassebaum which would have held USIA's budget to a 5 percent increase over the fiscal year 1983 levels at $572 million. The Kassebaum amendment failed by a record vote of 7 to 8. The following Senators voted aye: Senators Helms, Kassebaum, Boschwitz, Pressler, Murkowski, Sarbanes, and Zorinsky. Voting nay were Senators Baker, Lugar, Pell, Glenn, Tsongas, Cranston, Dodd, and Percy.

The Committee did adopt, by a record vote of 10 to 5, an amendment by Senator Zorinsky which holds the USIA budget to $636 million in fiscal year 1984 and 1985. Those voting aye were Senators Helms, Kassebaum, Boschwitz, Pressler, Murkowski, Glenn, Sarbanes, Zorinsky, Tsongas, and Cranston. Those voting nay were Senators Baker, Lugar, Pell, Dodd, and Percy.

In adopting this amendment, many members shared Senator Zorinsky's concern that USIA is an agency financially out of control. The proposed Administration budget for fiscal year 1984 represents a 30 percent increase over fiscal year 1983. The fiscal year 1985 request represented a 60 percent increase over fiscal year 1983. Further, between fiscal year 1981 and fiscal year 1983, USIA's budget had already experienced considerable growth. The Committee felt that the proposed fiscal year 1984 and fiscal year 1985 increases could not be justified in a time of record budget deficits and severe domestic budgetary austerity.

The Committee was also concerned about the manner in which USIA has been spending these increases. The Committee expressed alarm about the hiring of friends and relatives of high Administration officials without apparent regard for qualifications. Fulbright-Hays money, intended to support educational and cultural exchanges, has been diverted to conferences and seminars intended to promote short-term Administration policy objectives or single philosophical viewpoints. Many grants have been made without proper fiscal controls. The Committee believes USIA must get its own house in financial order before asking for such large budget increases.

In approving USIA's budget, the Committee intends to limit USIA domestic representation allowances to the fiscal year 1983 level of $10,000. The Committee sees no justification for a quadrupling in domestic entertainment for high USIA officials at a time of record budget deficits and double digit unemployment.

SECTION 203. SUPPLEMENTAL ALLOWANCES FOR AGENCY PERSONNEL STATIONED IN NEW YORK CITY

This proposal would permit the Agency to provide to not more than five employees stationed in New York City the same kind and amounts of supplemental allowances for quarters and utilities to which similarly situated employees of the staff of the United States Mission to the United Nations are presently entitled.

Certain senior employees of the Agency assigned to the Foreign Press Center in New York City are expected to conduct representational activities with foreign correspondents covering the United Nations and U.S. Government matters that have foreign policy implications. These representational activities require the employees to obtain housing in the high-rent area of New York City near the headquarters of the United Nations. At the present time, these Agency employees, unlike certain employees of the staff of the United States Mission to the United Nations, must personally bear a substantial part of the extraordinarily high rents for the housing that they occupy. As a result, married employees frequently decline assignments in New York City because of the financial hardships involved, and the Agency is thus often hampered in its efforts to select able employees for such assignments.

In considering this provision, Committee members expressed serious concern, however, with the State Department's administration of existing authority to provide supplemental allowances. Senators made clear their understanding that this allowance for both agencies was intended to be a supplement for extraordinary housing costs above that that would normally be incurred by an employee at a given salary in the Washington metropolitan area. Senators expressed their belief that the present Departmental policy of requiring employees to contribute only 5 percent of gross salary to housing costs (thus a maximum of $250 per month) was not intended by the original legislation.

SECTION 204. INCREASED LEASING AUTHORITY FOR RADIO FACILITIES

The only new authority provided by this section would be to enable the Agency to enter into leases for radio facilities for periods not exceeding 25 years (instead of the present maximum of 10 years) without having to seek and obtain special authorizing language in its annual appropriation Acts.

The existing 10-year restriction poses a substantial handicap to the Agency by limiting its flexibility in negotiating leases, particularly with foreign governments. This relatively short lease period also tends to produce episodes of long-term instability in Agency relations with foreign host countries and to inhibit the Agency's planning for sizable capital investment in leased properties.

It has been suggested that there is enough lead time before the commencement of lease negotiations to have inserted in an appropriation Act specific authorization for a leasehold in excess of 10 years.

However, according to the Agency, the parameters of negotiations often will not begin to jell until the time has passed for Congress to enact the necessary authorization. In this connection, USIA has in the last 2 years sought new or renewed leases for six

of its VOA facilities. Delays in the enactment of the necessary appropriation act language have caused problems and concern. Last year, for example, it was necessary for Congress to include in the Urgent Supplemental Appropriations Act, 1982, special language to meet USIA's lease negotiating needs in Africa, Asia, the Caribbean area and Europe.

The Agency emphasizes that required Congressional oversight of each extended lease project entered into under this provision would be made possible by its presentation of planned leases in its regular budget or reprograming requests to the relevant Congressional committees.

SECTION 205. FUNDS FOR THE NATIONAL ENDOWNMENT FOR DEMOCRACY

The purpose of this section is to earmark $31.3 million for the National Endowment for Democracy which is established by Title IV of this Act.

SECTION 206. EDUCATION AND CULTURAL EXCHANGES

This section, proposed by Senator Pell, earmarks funds for certain exchange-of-persons programs so as to meet the requirements of Section 305(c) of Public Law 97-241. That provision of law mandates a doubling through regular, annual increases of exchange-of-persons programs administered by USIA between fiscal year 1982 and fiscal year 1986.

In enacting Section 305(c) of Public Law 97-241, the Congress recognized the importance of exchange programs to the national security of the United States. In earmarking funds for fiscal year 1984 and fiscal year 1985, the Committee reaffirms its commitment to strengthening these vital programs.

The programs for which funds have been earmarked are the Fulbright Academic Exchange Programs, the Humphrey Fellowship Program, the International Visitor Program, and a program of grants to private, not-for-profit organizations engaged in exchange-of-persons activities. Over the years, these programs have demonstrated a proven record of effectiveness in promoting American institutions and values abroad and in enhancing mutual understanding. Alumi of the International Visitor Program, for example, include 33 present or former heads of State and 378 Cabinet Ministers. The Fulbright academic programs have provided year-long experiences in the United States for students and scholars who have later gone on to hold positions of great influence in their own countries. For example, some 30 currently serving Japanese Ambassadors were Fulbrighters as are the heads of 14 major Japanese universities, and approximately one-fourth of all the faculty at Finnish universities.

Since 1965 funding for those exchange programs has declined approximately 40 percent. By contrast, Soviet bloc spending for comparable programs has increased and vastly exceeds U.S. efforts. In Latin America in the academic year 1980-81, the Soviet Union and allies provided 9,135 scholarships for study in the Soviet Union or other Communist countries. By contrast USIA and AID funded only 854 students.

Section 305(c) of Public Law 97-241 and the implementing earmarks seek to reverse the erosion in funding for U.S. exchange programs and to make us more competitive with Soviet efforts.

The Committee expects that USIA will allocate adequate personnel and resources to insure that the larger exchange-of-persons programs are effectively administered. The Committee expects USIA to work to strengthen and expand the volunteer-based network which is an essential element in the workings of U.S. Government-sponsored exchange programs. The Committee considers it particularly important that volunteer resources be adequate to provide quality programing for international visitors. To avoid overloading the volunteer network and the programing agencies, USIA should consider a more even distribution of international visitors throughout the year, rather than current practice of having the greater percentage of visitors in the summer.

Although the Committee has earmarked funds for only these four valuable exchange programs, the Committee believes it important that other related educational and cultural programs also receive increased support. These include student services for the large number of foreign students in the United States not on U.S. Government grants as well as U.S. library and book programs abroad.

The Committee considers the role of private, not-for-profit organizations to be central to increasing exchange-of-persons programs. The principal recipients of the funds earmarked for this purpose should be organizations with a proven record in conducting exchange-of-persons programs and for which there is likely to be a multiplier effect in terms of increased exchanges resulting from the government grant. Examples of such organizations include Operation Crossroads Africa, Sister Cities, Youth for Understanding, the Experiment in International Living, the American Council of Young People Leaders, the Council for International Programs, and the American Field Service Committee.

Regular grant recipients should be reviewed on a periodic basis and new exchange-of-persons organizations should be considered for grants if they can demonstrate the potential for a multiplier effect, as well as meeting other criteria established by USIA's Bureau for Educational and Cultural Affairs (ECA).

Other private sector grants should go to educational and cultural organizations for programs meeting the criteria established by the ECA Bureau.

SECTION 207. CHARTER FOR EDUCATIONAL AND CULTURAL AFFAIRS BUREAU

This section, co-sponsored by Senators Pell and Mathias, provides a legislative charter for the programs carried out by USIA's Bureau of Educational and Cultural Affairs. The purpose of the Charter is to insure that the scholarly integrity, the excellence and the non-political character of these programs are maintained.

USIA's Educational and Cultural Affairs Programs serve the long-term security interests of the United States by promoting mutual understanding between Americans and the citizens of other countries and by exposing foreign students, scholars, and leaders to

American society, institutions and values. The effectiveness of these programs can be seriously undermined if they are perceived as a short-term exercise in promoting a particular viewpoint. For similar reasons, Congress has already enacted a legislative Charter to protect the credibility of the Voice of America.

At present, USIA's educational and cultural affairs programs and in particular the Fulbright Academic Exchange Programs, receive considerable financial and other support from foreign governments. In addition to suffering a loss of credibility, a politicization of these programs would likely cause a significant loss in financial support.

The Charter specifies that USIA's Bureau of Educational and Cultural Affairs (ECA) shall be responsible only for programs authorized by the Fullbright-Hays Act. The Charter describes some of these programs but the list is not exclusive. Among other important Fulbright-Hays programs not mentioned in the Charter but which properly fall under the purview of ECA are English teaching, student support services and book translation programs. Some programs, such as Libraries, fall under the authority of both the Fulbright-Hays Act and the Smith-Mundt Act. As long as the activity or program is consistent with the authorities contained in the Fulbright-Hays Act, the ECA Bureau may administer it.

The Committee expects that the Board for Foreign Scholarships, which is essential to the Administration of the academic programs of the ECA Bureau, shall be a completely non-partisan institution.

The Charter language preserves the ability of the President to assign programs authorized by the Fulbright-Hays Act to other government agencies subject of course to appropriate Congressional review procedures. However, no Fulbright-Hays program currently in ECA may be transferred to another Bureau. The language of the Charter shall not be construed as granting the President an authority to reorganize USIA, except through the statutory procedures including Congressional review.

SECTION 208. NOTIFICATION OF REPROGRAMINGS AND GRANTS

The Administration requested a $20 million supplemental authorization of appropriations in fiscal year 1983, $65 million in fiscal year 1984 and $65.4 million in fiscal year 1985 to launch a program to support institutions committed to the worldwide development of democratic principles.

The following is a detailed breakdown of this proposed program:

PROJECT DEMOCRACY: SUMMARY OF PRELIMINARY PROGRAM PROPOSALS

	Fiscal year 1983		Fiscal year 1984	
	Funds	Positions	Funds	Positions
Democratic leadership training and network building				
Multiregional:				
1. Legislator training			$1,000,000	
2. Study of democratic principles and practice for military leaders in developing nations.	$500,000		1,200,000	1 Domestic
3. Democracy and free elections: Regional institutes, conferences and publications.	300,000		1,700,000	
4. Public leaders project			500,000	1 Domestic
5. Successor generation: Trans-Oceanic Leadership Project.			1,500,000	1 Domestic 1 o/s American
6. Citizens action programs			500,000	
7. Support of Religious Freedom	150,000		300,000	
8. Strengthening of judicial institutions and procedures.	100,000		400,000	
Europe:				
9. Enhanced cooperation with the Atlantic Organizations of Europe.	300,000		1,000,000	1 Domestic 1 o/s American
10. Expanded International Visitors Program with Eastern Europe.			885,000	3 Domestic
11. Workshops in Europe on democratic processes.			250,000	
Latin American and the Caribbean:				
12. Leadership training for Latin American students leaders.	300,000		500,000	
13. Central American regional seminars, group travel in United States and special studies on democratic development.	200,000		350,000	
14. Support for the established of an Institute for Democracy for Central America and the Andes.	600,000		2,600,000	
15. Inter-American Community Leaders Exchanges			500,000	
Asia:				
16. Asia Foundation Proposal	5,000,000		10,000,000	
17. Funding for the National Committee on United States-China Relations.			250,000	
Africa:				
18. Group projects for African legislators, jurists and legal officials.	250,000		500,000	
19. Assistance for Liberia's transition and democracy.	800,000		920,000	
Subtotal	$8,500,000		$25,055,000	

PROJECT DEMOCRACY: SUMMARY OF PRELIMINARY PROGRAM PROPOSALS—Continued

	Fiscal year 1983		Fiscal year 1984	
	Funds	Positions	Funds	Positions
Multiregional:				
20. Assistance to center for the study of the United States abroad.	3,065,000	1 Domestic 1 o/s American	7,620,000	1 Domestic 1 o/s American
21. Establishment of academic programs on democracy.	40,000		892,000	
22. Study of the democratic heritage of tzgditional non-western cultures.	20,000		150,000	
23. Democracy and the free market economy			500,000	
24. Center for Free Enterprise			1,000,000	
Europe:				
25. European institute to Survey status of democracy in the world.	20,000		100,000	
26. New Center for the Study of the U.S.S.R. and Eastern Europe.			500,000	
Latin America and the Caribbean:				
27. Support for Latin American binational centers.	1,000,000	2 o/s American	3,300,000	4 o/s American
28. Expansion of Latin American scholarship program of American universities.			500,000	
Africa:				
29. African-American Issues Center	250,000		323,000	
30. African-United States scholar exchanges and university linkages.	400,000		800,000	
31. English teaching initiative in Africa	800,000	1 Domestic 2 o/s American 2 FNE	1,000,000	2 Domestic 2 o/s American 2 FNE
Near East:				
32. Middle East fellowship program			$1,000,000	
33. Middle East peace and development conferences.			100,000	
34. Democracy symposia at the American University of Beirut (AUB) and the American University of Cairo.			280,000	
Subtotal	5,595,000		18,065,000	
Democratic Media/Book Publishing				
Multiregional:				
35. Foreign journalist tours	250,000	1 Domestic	326,000	2 Domestic
36. Magazine: Communications impact	250,000	1 Domestic	600,000	5 Domestic
37. Worldwide book publishing proposal	1,000,000	4 Domestic 2 o/s American 3 FNE	4,455,000	10 Domestic 8 o/s American 11 FNE
38. Language versions of "Problems of Communism".			400,000	4 Domestic
39. Support for sending observers to trials of leading proponents of democracy.			300,000	
Latin America and the Caribbean:				
40. Support for the free press in Latin America.	120,000		120,000	
41. Central American media program	100,000		1,000,000	
Africa:				
42. Support for the free press in Africa			500,000	1 Domestic
Near East:				
43. Cooperation with independent third World media organizations.	150,000		250,000	
Subtotal	1,870,000		7,951,000	
Free Labor:				
44. Worldwide initiative to support free labor movements.	4,000,000		13,800,000	
A. Trade union educational exchanges			3,000,000	
B. Foreign policy and defense information program.	1,500,000		3,300,000	
C. Assistance to democratic trade unions and national labor centers in priority regions and countries.	2,500,000		6,000,000	
D. Assistance to international labor bodies which support democratic trade unions.			1,500,000	
Subtotal	4,000,000		13,800,000	
Grand total [1]	20,000,000	23 Positions (11 Domestic) (7 o/s American) (5 FNE)	65,000,000	65 Positions (35 Domestic) (17 o/s American) (13 FNE)

[1] Totals include general management costs and staffing.

During the hearings on this issue, a number of concerns were raised about this program and some of the activities of the Private Sector Program. Consequently, on March 16th, the United States Information Agency sent to the Congress draft guidelines and procedures for the Democracy grants. In addition to these criteria and guidelines, the Agency submitted to the Committee on May 4th guidelines for the Bureau of Educational and Cultural Affairs. The following are the guidelines which have been endorsed by the Committee:

PROCEDURES AND STANDARDS FOR THE ADMINISTRATION OF FUNDS FOR PROJECT DEMOCRACY

Authority and administration.—The United States Information Agency will be responsible for the allocation of the funds to the various departments, agencies, and the bureaus in compliance with the Project standards indicated below. The Director of USIA will determine funding levels for broad program categories in consultation with the Department of State and AID. The execution of these programs in the Department of State, USIA, or AID will fall under the guidelines consistent with the legislative charters governing the participating agencies.

Standards.—The Director of USIA will ensure that projects strengthen generally-accepted aspects of democratic development, such as freedom of speech and the press, free elections, freedom of association, the right to petition and respect for basic human rights and fundamental freedoms. Projects funded through Project Democracy will be developed and implemented in a manner ensuring the bipartisan support of Congress and the American public; will support the human rights policies of the United States; will be conducted a substantial degree by non-governmental organizations which will be encouraged to build productive long-term relationships and institutional ties with their foreign counterparts; will involve where appropriate the cooperation of foreign governments, organizations or individuals; will reinforce the intellectual and institutional foundations of democracy rather than promote a single view of particular policy of the U.S. Government or of any foreign government. There will be no use of funds or other involvement in these programs by any members of any intelligence agency, nor covert activities of any sort. No grantee will be subject to approval or disapproval due to partisan political considerations.

PROJECT DEMOCRACY GRANTS ADMINISTERED BY THE BUREAU OF PROGRAMS

After obtaining clearance from the Agency's General Counsel, the USIA Associate Director for Programs will solicit proposals from qualified institutions in the private sector for available grants. Additionally, announcements will be placed in the public record through the usual means, such as the Federal Register and the various privately published grant program digests. In no case will proposals be solicited *ab initio* by a single agency official unless and until that proposal has been cleared by the appropriate grant review panel. Bureau of Programs Grant Review Panels will be established on a regional basis and the appropriate USIA geographic office will be represented on each. The Panels will also include career and appointed officials from the various participating agencies plus a representative of the USIA General Counsel. At least a majority of the panel members will be career Foreign Service and Civil Service personnel. In many cases the Panels will also seek the participation of outside experts. The Panels will apply the criteria for these grants and recommended proposals for funding. Final decisions on these grants will rest with the Director of USIA, in consultation with the Department of State as appropriate.

BUREAU OF PROGRAMS GRANT REVIEW PANEL CRITERIA

These criteria, to be applied by the USIA Bureau of Programs Grant Review Panels, are the fixed norms and eligibility requirements which must be fulfilled by private sector applicants for Project Democracy grants. Programs administered by the USIA Bureau of Educational and Cultural Affairs are governed by that Bureau's own procedures and criteria (attached) which take account of the specific character of its programs. Programs administered by the Department of State and AID will be governed by the procedures and criteria of those agencies.

Eligible institutions.—Institutions eligible to submit grant requests include both institutions in the United States and foreign educational and research institutions.

Program focus.—All program proposals submitted for grant review must have as a primary purpose and goal the long-term study and development of democratic ideas and institutions. Proposals will *not* be considered which advocate the policy positions or prescriptions of any foreign government or a particular U.S. administration or any partisan point of view.

Grant management.—Grants under Project Democracy will be made to institutions capable of independent development of a grant proposal, of fulfillment of operational matters relating to their proposed program, and completion of a pre-arranged program evaluation process at the termination of the grant. The capability of an organization to carry out those tasks is a prerequisite for participation in the grant programs. It will be the responsibility of the Associate Director for Programs to ensure that objective and stringent evaluation procedures are part of any successful proposal, as well as to standardize those procedures for regular and comprehensible reporting to the Congress and other external constituencies.

Priorities.—Grant proposals will be favored which reflect priorities established by the Director of USIA in consultation with the Department of State and AID. Projects will reflect the overall themes of Project Democracy as described in the introduction above, with appropriate assignment of responsibilities among the various agencies and bureaus.

Intellectual quality.—Proposals will be favored which provide strong evidence of the intellectual and pragmatic quality of proposed activities. For example, the incorporation of the best scholarship in the field; the inclusion of all relevant points of view; the involement of the most qualified participants.

Prior experience.—A record of prior experience with projects of high intellectual and useful quality in support of democratic institutions will be a positive factor in the review process. However, even absent such a record, organizations are encouraged to submit innovative concepts and programs to the review panel.

Thoroughness of planning.—Proposals will be favored which demonstrate thoroughness of planning and have taken into account the attractiveness and usefulness of the proposed activities to those for whom they are designed. A timetable whereby USIA can track the progress of a grant will be required.

Multiple impact.—Projects which incorporate substantial multiplier effects will be favored. For example, publication of conference proceedings, and the use of participants in one conference as speakers at related follow-up programs and activities in the same and other countries.

Matching funds.—Because Project Democracy encourages a joint effort between the public and private sector, projects will be favored where Project Democracy grant assistance constitutes only a portion of total funding. Therefore, all proposals must include a complete budget breakdown of all costs involved and expected sources of funds.

BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS; PROPOSED APPLICATION AND REVIEW PROCEDURES FOR PROJECTS/PROGRAMS USING PROJECT DEMOCRACY FUNDS

Project Democracy funds will be used to enhance existing programs of the Bureau, and to support new projects consistent with the Bureau's guidelines. For the enhancement of traditional exchange programs such as the Fulbright Senior Scholars' program or the traditional International Visitors Program funds will be forwarded to the established program agencies, some of whose guidelines are attached. (Copies of some sample literature appear as Attachment A). The publicity, review, nomination, supervision, and other follow up responsibilities for individual candidates will be administered by the traditional outside program agencies, subject to traditional BFS consultation. The BFS regulations appear as Attachment B.

New projects to be administered in the Bureau of Educational and Cultural Affairs will be advertised in the Federal Register and/or academic and exchange organizations' publications and will be reviewed according to the Bureau's established procedures (infra) subject to published guidelines. Sample selection criteria appears as Attachment C.

Project Democracy funds will be allocated by the Director to broad categories of programs by geographic area. Programs will range from enhancement of traditional exchanges to additional support for ongoing programs such as American Studies, English teaching and book translations.

For Bureau programs on projects administered by USIS posts abroad, funds will be allocated according to established disbursement regulations and traditional administrative criteria. Prior to transferring funds to Posts for such activities, projects will be reviewed in the manner outlined below.

The guidelines address the broad grant categories and will apply to "core" and "enhancement" programs. They comprise a general Bureau procedure for grant application and review for programs and projects enhanced or totally supported by Project Democracy funds.

APPLICATION PROCEDURES

Each proposal should include: a standard Bureau cover sheet (Attachment E); a copy of the organization's charter; the names of its Board of Directors; a narrative proposal (contents defined program-by-program); a detailed budget including cost-sharing and in-kind contributions; curriculum vitae of project staff; and germane letters of endorsement.

OFFICE RESPONSIBILITIES PRIOR TO PANEL REVIEW

For each proposed project or program: log in program office; assign action officer; forward copy to Coordinator for E log; technical review for eligibility; consult with E/X (Executive Office), Area and General Counsel; prepare complete proposal for advisory panel review; include items listed above, Area comment, staff comment, etc.; forward proposal and blank review sheets (Attachment F) to panel members at least one week prior to monthly meeting; for "urgent" proposals consult with Coordinator for Associate Director's approval; provide rationale for panel review out of routine cycle.

OFFICE ADVISORY PANELS

Each Office will have a regular monthly panel meeting (e.g. E/A on the third Friday), allotting sufficient time to review all proposals.

Review each proposed grant, contract, or co-op agreement (including those staff considers non-priority) by panel;

Constituted for each Office by Office Director and Coordinator in consultation with Associate Director (must include Office, E/X, GC, Area representation);

Located at program office;

Chaired by Bureau Coordinator; minutes taken by Office support staff;

Each member submits written review sheet for each proposal;

Recommends approval/disapproval, additional staff work including conditions and/or modifications;

Coordinator summarizes for minutes follow-up actions for various elements;

Panel, Coordinator, or Associate Director may request additional expert outside review;

For proposals recommended for disapproval, the Office should prepare a letter from the Office Director for E clearance and attach a brief summary of the panel's comments.

OFFICE RESPONSIBILITIES FOLLOWING PANEL REVIEW

Within two weeks:

Coordinate follow-up actions of various elements;

Summarize for the file institution's response to panel questions;

Prepare Office recommendation for Associate Director;

Prepare file with copies of proposal, panel review sheets. outside reviews, minutes of review meeting; send to Associate Director through Coordinator, with cover memorandum indicating Office Director's recommendation and memorandum for the Deputy Director; a duplicate file should be prepared for the Deputy Director;

Forward files to E, Dale Brown.

E RESPONSIBILITIES

Log in E Secretariat;

To Coordinator for technical review and comment; additional GC consultation as necessary;

To Associate Director for approval/disapproval;

To Deputy Director for final approval;

To Associate Director's office for filing of approval memos;

To Coordinator for log;

To E/X for final processing; copy of approval memos to Office.

UNITED STATES INFORMATION AGENCY,
Washington, D.C., May 4, 1983.

Hon. CHARLES H. PERCY,
U.S. Senate.

DEAR MR. CHAIRMAN: The Bureau of Educational and Cultural Affairs has completed its revision of grant guidelines, including application and review procedures. A copy is enclosed for your information.

The guidelines establish independent review procedures which speak to no "special interest" but are intended to serve mutual understanding by reflecting the United States' many voices. All new as well as traditional programs supported by the Bureau will be subject to clear and objective review criteria to determine their effectiveness.

These guidelines supplement our February 22 reprogramming request. I will be happy to answer any questions you may have.

Sincerely yours,

CHARLES Z. WICK, *Director.*

ECA GRANT GUIDELINES

The Bureau of Educational and Cultural Affairs provides grants to promote the long-term foreign policy and national security objectives of the United States by promoting mutual understanding between the people of the United States and the people of foreign countries. Grants are not awarded for the purpose of promoting the short-term foreign policy goals of a particular Administration. Consistent with the above, the Bureau seeks to be responsive to the needs of the USIA field posts as articulated in their annual country plans.

The Bureau's various programs suggest the need for flexible guidelines addressing its broad grant categories. Although application guidelines and program review procedures may vary depending on type of program, the following points comprise a general Bureau structure for grant application and review for E/A, E/P, E/YX and for new program agencies for E/V. Specific procedures for each office are developed in consultation with the Associate Director.

ELIGIBILITY

Academic and cultural institutions, exchange-of-persons and other not-for-profit organizations are eligible to apply for grant support. Organizations should demonstrate a proven record (4 years) for work in the field (except for pilot grants, as noted below). Grants are not awarded to organizations whose primary purpose is clearly political (except under the limited circumstances noted below). Grants are not available to subsidize organizations whose primary activities fall outside the purposes of the Fulbright-Hays Act.

Pilot grants not to exceed $60,000 may be awarded to newer organizations. Programs and projects should conform with other ECA guidelines, and shall be independently evaluated.

Under certain limited circumstances pertaining to their expert, specialized knowledge and resources, organizations with clearly political purposes may be eligible for grants. Such organizations should not, however, receive grants for projects or programs that are intended to promote their own political purposes. Overall, but not in each case, ECA grants to such organizations must be balanced in terms of orientation of participants, numbers and dollars.

The Bureau seeks to promote competition and balance in its discretionary grantmaking and strives to avoid exclusivity. Long-term programs are reviewed periodically.

APPLICATION REVIEW PROCEDURES

Long-term program agencies will be reviewed annually according to criteria developed by program, Area and budget Offices.

Specific application and proposal guidelines will be developed by each Office for its programs. Each application shall include:

A standard Bureau cover sheet (attached);
A copy of the organization's charter;
A list of its Board of Directors;
A narrative proposal;
A detailed budget including cost-sharing and in-kind contributions as appropriate;
Curriculum vitae of project staff; and

Germane letters of endorsement.

Proposals are received in response to Federal Register Announcements, announcements in professional journals, and in response to direct inquiries to the Bureau's Offices.

Before requesting proposals from outside agencies which have not been USIA grantees and/or for new types of projects, program offices shall:

Discuss with Area

Submit brief description of proposed activity/project/program (including rationale for this solicitation) to Coordinator for Associate Director's clearance

Following Associate Director's approval, Office Director or program officer may hold discussions concerning Bureau application procedures

Proposals will be reviewed according to Office procedures

Upon receipt and logging in the program Office, the proposal will be:

Assigned an action officer

Reviewed for technical eligibility

Copied and forwarded to the Coordinator, the Executive Office, relevant Area(s) and the General Counsel's Office (as necessary).

Program office preparation of proposal for panel review:

Attach Executive Office budget review, Area and staff comment;

Include relevant evaluation studies completed in last two years;

Forward proposal and blank review sheets to panel members at least one week prior to monthly meeting; for "urgent" proposals consult with Coordinator for Associate Director's approval of panel review out of routine cycle; and

Include annual review information for long-term program agencies

Each Office will have a regular monthly meeting (e.g. E/A on the third Friday), alloting sufficient time to review all proposals.

Each proposed grant, contract, or co-op agreement (including those staff considers non-priority) shall be reviewed by panel:

Of which a majority of the voting members shall be career employees;

Constituted for each Office by Office Director and Coordinator in consultation with Associate Director (must include Office, E/X, GC, Area and E representation);

Located at program office;

Chaired by Bureau Coordinator; and

Minutes taken by Office support staff.

Each panel member:

Submits written review sheet (attached) for each proposal, including reviewer's statement describing the nature and extent of his or her association, if any, with members of representatives of the applicant organization.

Recommends approval/disapproval, additional staff work including conditions and/or modifications such as additional outside review of the application.

Coordinator:

Summarizes for minutes follow-up actions for various elements;

May request additional expert outside review.

For proposals recommended for disapproval, the Office will prepare a letter from the Office Director for Associate Director clearance and attach panel review sheets.

OFFICE RESPONSIBILITIES WITHIN TWO WEEKS OF PANEL REVIEW

Coordinate follow-up action of various elements

Summarize for the file institution's response to panel questions

Prepare Office recommendation for Associate Director

Prepare for Associate Director file with copies of proposal, panel review sheets, outside reviews, minutes of review meeting

Send complete file to Associate Director through Coordinator, with cover memorandum indicating panel and Office Director's recommendation

Prepare duplicate file for the Deputy Director

E RESPONSIBILITIES

Log in E Secretariat;

To Coordinator for technical review and comment;

GC consultation as necessary;

To Associate Director for approval/disapproval;

To Deputy Director for final approval;

To Associate Director's office for filing of approval memos;

To Coordinator for log; and

To E/X for final processing including contract; copy of approval memos to Office.

Office Directors may wish to send program award letters in addition to the Office of Contract's "boilerplate".

BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS; GRANT REVIEW CRITERIA

(A) Grant recipients should have an established reputation for excellence in the field in which the grant is being awarded. In certain cases grants may be awarded based on the demonstrated potential for excellence for the proposed program or project. The program or project should be representative of current expert knowledge and opinion in the field.

(B) Proposals will be assessed by the Agency's geographic area desks to evaluate the need for the program or project and its potential impact and significance.

(C) Proposed programs and projects should serve to strengthen long-term mutual understanding by evidencing a potential "multiplier effect."

(D) Proposed personnel and institutional resources should be adequate to achieve the program or project's goals. Careful planning should be evidenced.

(E) Relevant results of evaluations of previous projects and programs should be included with the proposal to demonstrate the applicant's capability.

(F) The overhead component of grants, as well as salaries and honoraria, should be kept as low as possible.

Additional review criteria and guidelines are available for each program Office and for specialized programs.

BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS
APPLICATION COVER SHEET

1. Institutional Applicant

Name_____

Address_____

Phone no._____

2. Date Institution Established

_____

3. Project Director

_____

4. Program to Which Application is Being Made_____

5. Time Period for Project
From __/__/__ to __/__/__ = total months

6. Type of Application
   a. New_____
   b. Renewal_____
   c. Resubmission_____
   d. Amendment_____

Previous Grant History (Use Supplementary Pages as Necessary)

_____

_____

7. Audiences (Direct Beneficiaries)
   a.
   b.
   c.

8. Budget summary
   a. USIA request_____
   b. Cash contributions_____
   c. In-Kind Contributions_____
   d. Total Project_____

9. Total Institutional Budget (last fiscal year)_____

10. Geographic Area(s) for Project

_____

_____

_____

11. Location of Main Project Activities_____

_____

12. Topic or Title of Project_____

13. Project Summary (Do not exceed space provided)

14. Have your submitted, or do you plan to submit a similar application to another government or private entity? If yes, provide name(s):

_____

15. Authorizing Official

_____

16. Applicant -I certify the statements herein are true and correct

_____

(For USIA Use)
Date received_____
Action officer_____
Date

BEST COPY AVAILABLE

DRAFT

Proposal Review (2/

Institution: _____

Log Number: _____

Comments:

Suggested Conditions:

Association with Members or Representatives of the Applicant Organization:

Recommendation (complete following panel discussion)

APPROVE _____

DISAPPROVE _____

DEFER _____

RESUBMIT _____

BEST COPY AVAILABLE

It is the hope of the majority of the Committee that these guidelines will be adopted as formal regulations by the Agency. In addition, the Committee adopted an amendment proposed by Senator Percy which requires that the Senate Foreign Relations Committee and the House Foreign Affairs Committee be notified by USIA of all program grants and reprogramings 15 days prior to their being implemented. It is the intent of this amendment to provide Congress with an opportunity to monitor USIA activities to verify that they conform with the above guidelines.

SECTION 209. ENVIRONMENTAL EXCHANGES

This section, proposed by Senator Pell, establishes a program for exchanges between American and foreign scientists, scholars, leaders and other experts in the fields of environmental science and environmental management. To fund the program, the amendment earmarks 5 percent of the already mandated increase in USIA exchange programs. The provisions of this section are identical to sections 3 and 4 of S. 1067, the International Environment Protection Act of 1983, sponsored by Senators Pell, Percy, Glenn and Chafee.

As a relatively new discipline, the environmental sciences in both the United States and abroad could be enriched by the cross-fertilization of ideas facilitated by our exchange programs. For example, American scholars concerned with acid rain could benefit enormously from exchanges with their Scandinavian counterparts, who have been observing and studying the problem for more than 50 years. Similarly biologists in other countries might benefit from the work done in the United states to preserve endangered species.

The Humphrey Fellowship Program, which brings public managers from the Third World to the United States for a year's study, is a particularly suitable vehicle for some of these environmental exchanges. In the decade 1972–1982, the number of environmental ministries has grown from 10 to more than 110, with most of the increase occurring in the Third World.

In earmarking 5 percent of the increase in certain exchanges, the Committee intends to allocate an aggregate amount for environmental exchanges. USIA is best able to determine the amount to be allocated for environmental exchanges among the programs named in this section.

TITLE III—BOARD FOR INTERNATIONAL BROADCASTING

SECTION 301. SHORT TITLE

This title may be cited as the "Board for International Broadcasting Act, fiscal years 1983, 1984 and 1985."

SECTION 302. AUTHORIZATION OF APPROPRIATIONS

This section authorizes a $13.2 million supplemental appropriation for fiscal year 1983, a $106 million appropriation for fiscal year 1984, and a $111 million appropriation for fiscal year 1985 for the Board for International Broadcasting (BIB). The BIB acts as an independent government agency to receive appropriated funds and to allocate them to Radio Free Europe/Radio Liberty (RFE/RL). The Board is also authorized to review and evaluate the mission

and operations of RFE/RL to insure proper accountability of public funds, to develop and apply evaluative procedures to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States, and to develop regulations to carry out its functions.

Fiscal year 1983—supplemental request

The $13.2 million supplemental authorization request for fiscal year 1983 will raise the total funding levels of BIB in fiscal year 1983 to $111.6 million. It will enable RFE/RL to enhance programming, improve audio quality and renovate broadcast facilities. This authorization would fund additional program staff, freelance contributions, news bureaus, monitoring stations, modernized text and data processing systems, and anti-jamming research.

On July 19, 1982, the President announced his intention "to move forward consistent with budgetary requirements with a program to modernize our primary means of international communication, our international radio system" He stated that "the Voice of America, Radio Free Europe and Radio Liberty have been neglected for many years. Their equipment is old and deteriorating, their programming resources strained. Little has been done to counter the jamming that has intensified in recent years."

In accordance with the President's announcement, the Administration submitted for the urgent consideration of the Congress an amendment to the fiscal year 1983 appropriation request for the Board for International Broadcasting (RFE/RL) and for the U.S. Information Agency (VOA) totaling $44 million.

The U.S. Information agency (USIA) had enough excess authorization to cover this appropriation request through a reprogramming process.

However, the BIB was required to submit a supplemental request. This request (S. 3107) was considered by the Foreign Relations Committee at the end of the 97th Congress and was reported (S. Rept. 97-685) on December 16, 1982. Because of the press of Congressional business, this bill did not receive final consideration by either the House or the Senate.

In order to carry out the mandate of the President, the Board for International Broadcasting will need an additional $13,283,000 authorization. The following illustrates the relationship of the pending fiscal year 1983 BIB appropriation to fiscal year 1983 authorization:

Appropriation—(Public Law 97-377)	$90,300,000
Proposed appropriation—Budget amendment	21,300,000
Total	111,600,000
Authorization—Public Law 97-241	98,317,000
Needed authorization	13,283,000

The purpose of the $21.3 million BIB appropriation amendment is to enable Radio Free Europe/Radio Liberty (RFE/RL) to enhance programming, improve audio quality and renovate broadcast facilities. The amendment would fund additional program staff, freelance contributions, news bureaus, monitoring stations, modernized text and data processing systems, and anti-jamming research.

This increased funding would permit an expansion of the RFE/RL staff from 1,675 to 1,750 permanent employees, primarily directed toward improving programming. This would include increased news gathering capacity, Soviet area research, and program capability in Ukrainian, Central Asian, Baltic and other nationality languages of the U.S.S.R.

Of the $21,300,000 additional appropriation request, $12,870,000 represents a one time cost. The following is a breakdown of the total additional request:

Additional personnel (including recruitment costs)	$3,625,000
Free-lance programs, contract studies, panels	1,250,000
News and program travel	700,000
Editorial and broadcast training programs	300,000
New monitoring stations and news bureaus	450,000
Text and data processing hardware and software	2,500,000
Enhanced audience research	350,000
Munich studio modernization	5,850,000
Broadcast quality program lines and circuits	1,275,000
Transmitter site improvements	1,870,000
New security systems	1,200,000
Anti-jamming and DBS research	350,000
Munich building improvements and new equipment	1,000,000
Estimated early retirement costs	580,000

Fiscal year 1984 authorization request

According to the detailed budget presentation materials submitted to the Committee, the appropriation request for fiscal year 1984 is to provide for the continued oversight activities of the Board for International Broadcasting and its grants to RFE/RL, Inc., for broadcasts in 21 languages to the Soviet Union, Poland, Romania, Hungary, Czechoslovakia and Bulgaria. The request will permit continued operations at the increased fiscal year 1983 program levels, with increased transmitter power, at projected exchange rates of $1 equals 2.50 West German marks, 91.10 Portuguese escudos and 119.50 Spanish pesetas.

In addition to continuing the improvements provided by the fiscal year 1983 supplemental, the fiscal year 1984 request includes $1,395,000 for the replacement of eight 50 kW transmitters located at Biblis and Lampertheim, West Germany, with four modern kW transmitters. Additional increases, over normal inflationary rates, are caused by the costs related to the expansion of the Board members from 5 to 9, as mandated by Public Law 97-241.

The following chart sets forth the breakdown of fiscal year 1984 increases:

FISCAL YEAR 1984 AUTHORIZATION REQUEST—SUMMARY

[Fiscal years, in thousand of dollars]

	1982 actual appropriation	1983 [1] authorization (Public Law 97-241)	1983 appropriation	1984 estimate	1983-84 increase/decrease
	($1=DM 2.25)		($1=DM 2.30)	($1=DM 2.50)	
Board for International Broadcasting:					
Administrative expenses	832	838	857	1,075	+218
Transmitter purchase				1,395	+1,395
Grants to RFE/RL, Inc.	82,375	97,479	89,443	103,585	+14,142
Subtotal (existing programs)	83,207	98,317	90,300	106,055	+15,755
Pending supplemental authorization and appropriations requests		13,283	21,300		−21,300
Totals	83,207	[1] 111,600	111,600	106,055	−5,545

[1] Includes fiscal year 1983 supplemental.

Fiscal year 1985 authorization request

The following chart illustrates the BIB's fiscal year 1985 authorization request:

Fiscal Year 1985 Authorization Request

BIB/RFE/RL, INC.

(in thousands of dollars)

FY 1984 Operating Level	[1]104,560
FY 1985 Increases:	
BIB—Inflationary increases for salary and administrative costs	53
RFE/RL, Inc.:	
Permanent, Temporary Salaries and Severance.—General salary increase of 6.5 percent for all employees in line with expected cost-of-living and wage scale level increase. Within-grade increase in accordance with Union contracts and company policy for employees below the top of their grades	3,192
Employee Benefits.—Taxes, Pension Program, Fringe Benefits; effects of known or expected increases in tax rates in the United States, Germany, Spain, and Portugal. Actuarial projections of increased costs for United States, German, Portuguese and Spanish pension plans. Fringe benefits increase due to salary increases on foreign service allowances, travel insurance costs. Inflationary increases for housing, home leave travel and employee health insurance costs	1,715
Administrative Costs.—Miscellaneous Fees/Professional Services, Travel, Rent and Utilities, License, Royalties, News and Information, Conferences, General and Administrative; inflationary increases in non-personnel costs are expected on virtually all costs not related to salary and employment. The inflationary impact on the cost of essential goods and services must be met if RFE/RL is to maintain the present level of operations: U.S. 6.0 percent; Germany 5.0 percent; Portugal 20.0 percent; and Spain 14.0 percent.	920
Power.—Costs will continue to rise at a higher rate than the percentage figures cited above—an average increase of 8.1 percent will cost	778
Capital Expenditures.—General increase of 6.0 percent over FY 1984 for capital acquisitions	33
FY 1985 Increase over FY 1984	6,691
FY 1985 Obligatory Authority	111,251

[1]Does not include one-time cost of $1,495,000 for transmitter purchase and installation.

The Committee recommends that the Senate approve an authorization of appropriations of $106,055,000 for fiscal year 1984, $111,251,000 for fiscal year 1985 and a fiscal year 1983 supplemental of $13,283,000 for the Board for International Broadcasting.

SECTION 303. BENEFITS FOR CERTAIN RETIREES AND SURVIVING SPOUSES OF EMPLOYEES OF RADIO FREE EUROPE AND RADIO LIBERTY INCORPORATED

This section, offered as an amendment by Senator Percy, creates a $5 million Pre-1976 RFE/RL Retirement Fund composed of gains realized from currency fluctuations to enhance the pensions of employees and widows of RFE/RL employees that retired prior to 1976.

The purpose of this amendment is to improve the low and inadequate pensions of the employees of Radio Free Europe and Radio Liberty who were retired prior to July 1, 1976. Aside from a lower salary base and different formula, the dollar-paid pre-1976 retirees incur a 50 percent social security offset deducted from their already extremely low pensions. The monthly check of many of these retirees runs, unbelievably, under $100, and is in the $200–$300 area for a great many. Most widows of pre-1976 retirees receive nothing. The resulting financial circumstances of this group is tragic. After years of inflation, without equivalent cost of living increases, these people have been reduced to living conditions often far below poverty level.

These people are a select group of highly talented individuals, largely exiles from the Soviet Union and Soviet controlled East European countries—men and women of status in the countries from which they fled to gain freedom from communism. Their dedicated work at Radio Free Europe and Radio Liberty became the very backbone of the development of these Radios into the highly effective broadcasting stations they became. These people served well the interests of the United States and rendered a great service in combating the influence of communism in their home countries. Now in their 70's or older, they deserve far better treatment than the pitifully low pensions they are receiving. They are a small group (100–200 persons).

The problem has been how to fund an appropriate pension improvement program. An opportunity now exists, without requiring any new appropriation, for substantial amelioration and at least partial redressing of the great injustice suffered by these proud men and women who are in such dire financial straits. It now appears that gains from the dollar exchange rate vs. The deutsch mark which are currently accumulating in the fiscal year 1983 RFE/RL appropriations would largely, if not fully, fund the redressing of at least a large part of the most acute shortfalls suffered by this dwindling group of pre-1976 RFE/RL retirees. This would be a program to fill in gaps between the pre-1976 and the post-1976 pension plans, such as pensions for widows now receiving nothing, and eliminating and making up for the 50 percent social security offset deductions and related unpaid cost of living increases. Preliminary estimates place the cost of such a relatively modest program of pension improvements in the neighborhood of $5 million. The accumulated dollar exchange savings for the first half of fiscal year 1983 are currently estimated to have already reached about $3.5 million. These funds are not available for use by RFE/RL in their operations. They can be authorized by the Congress to upgrade pre-1976 retiree pensions, and thus greatly relieve

the tragic plight of these people. This section creates a fund for that purpose.

TITLE IV—NATIONAL ENDOWMENT FOR DEMOCRACY

SECTION 401. SHORT TITLE

This section provides a short title of "National Endowment for Democracy Act" for the provisions of this bill. This legislation is a response to the felt need to increase the U.S. public diplomacy effort overseas in a manner which involves U.S. private sector initiatives to strengthen democratic values and institutions abroad.

Over the past 40 years, the United States has been committed to the goals of democratic institution-building abroad. During this same period, the Congress, under both Democratic and Republican leadership, has supported and helped to shape the national consensus in favor of such initiatives. From the earliest days of the Marshall plan, "Point 4" economic assistance, the advent of international broadcasting as an element of public diplomacy, and government-supported exchange programs such as those authorized by the Fulbright-Hays Act, several themes have recurred.

Such initiatives reflected concretely the underlying national consensus on broad U.S. foreign policy goals. Second, the new program did not threaten to undermine either by accident or design the funding and operations of other existing popularly supported programs. Third, the new programs enjoyed genuine bipartisan support across a wide spectrum of American leadership opinion. The programs funded by the National Endowment for Democracy are intended to reflect these criteria.

This new proposal is the result of a 6-month nongovernmental research study by the two major U.S. political parties, labor, and business involving Democrats, Republicans, liberals, moderates and conservatives to design new, private sector approaches which will foster and strengthen democratic values and institutions abroad. Named the Democracy Program, this study was often confused with the Reagan Administration's $65 million proposal for a "Project Democracy," discussed in Title II above, whose broad purposes are to enhance and increase existing public diplomacy programs of the U.S. Government, and to develop new governmental initiatives, promote democracy and democratic institution-building overseas.

Private sector efforts in the past have been fruitful, except for the AFL-CIO's regional institutes and a range of programs sponsored by leading foundations and private voluntary organizations. Indeed, for several decades, the AFL-CIO has been running regional institutes in Latin America, Africa and Asia, often working under difficult local circumstances in nondemocratic societies to support democratic trade unions and train their organizers. Since World War II, the American labor movement has also been active in efforts to support democratic workers' movements, first in Western Europe when threatened by Communist disruptions in the bleak aftermath of the war, and most recently in Eastern Europe with its assistance to Poland's Solidarity movement.

Nonetheless, there has never been a comprehensive structure for a nongovernmental effort through which the resources of America's private sector constituencies, the separate and autonomous programs of energetic institutions, could be mobilized effectively. Those involved in the Democracy Program recognized from the beginning that to be effective, such a structure should have the involvement of both national political parties, organized labor and the business community, among other private institutions.

Nor was the Democracy Program first to recognize the problem or pioneer in creating solutions. During the 1950's, President Eisenhower, Senators J. William Fulbright and Hubert H. Humphrey, and leaders of the American labor movement, such as George Meany and Walter Reuther, proposed and developed mechanisms to assist democratic institutional development abroad openly and through the private sector.

A decade later, during the months that followed the public revelation in 1967 of the CIA's covert funding of overseas activities by some American private voluntary organizations, the Johnson Administration concluded after careful study that the U.S. Government should totally halt all secret financial subsidies to such nongovernmental groups. At the same time, Johnson officials urged the creation of a new, quasi-autonomous nongovernmental organization to provide public funds openly for the overseas activities of American private sector groups engaged in worthwhile international programs. Anticipating the Johnson proposals, a number of House members, led by Hon. Dante B. Fascell, introduced in April 1967 a bill to create an Institute of International Affairs. Unfortunately, concern over the problem of past covert funding overrode sufficient interest in constructive future solutions beyond terminating all CIA involvement.

Events and institutions in Europe triggered new interest in the possibility of a nongovernmental democracy program during the late 1970's. Americans became committed to participating in the process of monitoring the Helsinki Accords, especially in human rights ("Basket Three") provisions as these affected Soviet bloc behavior. This concern led not only to the creation of the bipartisan Commission on Security and Cooperation in Europe but also to legislation introduced in 1978 to establish an "Institute on Human Rights and Freedoms" (among other bills introduced on similar themes).

Independently, during this same period a number of American political leaders became intrigued by the activities of the German "stiftungen"—the political foundations which now collectively receive over $150 million annually from the German Bundestag. These four publicly funded foundations in the Federal Republic of Germany are each allied to a major political party. Today, these foundations sponsor efforts in over five dozen countries to encourage the institutional development vital to the emergence of pluralist cultures. The work undertaken by the Konrad Adenauer (CDU), Friedrich Ebert (SPD), Friedrich Naumann (FDU), and Hans Seidel (CSU) foundations has been so effective that the idea of party foundations has spread to countries as diverse as Spain (which recently created its own political foundations after witnessing the helpful

role played by the German foundations in sustaining Spanish democracy), Portugal, Venezuela and the United States.

Similarly, the American labor movement was taking stock of the effects of United States withdrawal from the International Labor Organization (ILO) in 1977. AFL–CIO leaders renewed their long-standing interest in the possibility of expanding the Federation's international work. They explored the possibility of a legislatively-created labor foundation that could disburse public funds to its existing institutes and other organizations doing labor-supported international work.

A number of these interests came together in the spring of 1982 to produce a critical mass of public attention. A study was proposed in a letter to the President by the bipartisan American Political Foundation and the Democratic and Republican Party chairmen to determine ways and means for promoting the growth of democracy and democratic institutions. The letter referred specifically to the German party foundations' "open and effective programs to support democratic political forces throughout the world," and suggested that the study, which would be conducted under the auspices of the bipartisan American Political Foundation, "take up such questions as whether programs should be bipartisan, what, if any, should be the connection with the government, how to handle the tension between maintaining friendly relations with current governments while sowing the seeds of democratic successors, how to encourage domestic pluralistic forces in totalitarian countries, and what levels of resources are required."

President Reagan devoted space to the research study in his June 1982 address to the British Parliament. His comments attracted favorable reactions. Such reservations as emerged centered upon three issues: Concern lest the programs proposed be other than long-range and bipartisan in scope; anxiety that the Administration would attempt to exploit the research study for immediate propaganda purposes in its broader public diplomacy initiatives; and opposition to a dominant political tilt in defining the context and recipients of democratic political assistance. The subsequent recommendations of the Democracy Program study put these fears to rest.

During the summer and fall of 1982, considerable time and energy was devoted to arranging the delicate balance of political and institutional interests within the structure of the research study, in close consultation with the leadership of the two major political parties and the leaders of the AFL–CIO and the U.S. Chamber of Commerce. In the late fall, the Democracy Program study was officially launched with the announcement of a bipartisan executive board and program director. A staff and initial consultants were selected who were broadly representative of the areas of scholarly expertise and political balance required by the study, including representatives of the Democratic Party, the Republican Party, labor and business programs.

Subsequently, the report of the Democracy Program entitled "The Commitment to Democracy: A Bipartisan Approach" was issued. Its recommendations are reflected in this title. Among the functions envisioned for the Endowment are the following: (a) to perform general oversight functions relating to its activities to

insure that the charter's purposes are being met; (b) to evaluate grant proposals from the private sector and to support the collaborative efforts of private sector grantees to design programs which combine their experience and institutional perspectives; (c) to provide scholarships and fellowships which carry out the purposes of the Endowment and support programs designed to teach democratic concepts; (d) to serve as the "umbrella" organization through which the four party, labor and business instrumentalities, enumerated in section 411, may receive funding (in addition to those amounts already earmarked) and within which each one can evolve independently but in a cooperative and collaborative manner; (e) to serve as an intermediary between private sector groups and as a clearinghouse for inquiries and proposals in order to bring groups together and to create new opportunities for democratic assistance.

SECTION 402. ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR DEMOCRACY

Section 402(a) authorizes the establishment of a private, nonprofit corporation called the National Endowment for Democracy.

Section 402(b) provides that the Endowment will not be considered an agency or establishment of the U.S. Government.

Section 402(c) provides that the Endowment will be subject to the provisions of this title. In addition, to the extent consistent with this title, the Endowment will also be subject to the District of Columbia Nonprofit Corporation Act.

Section 402(d) provides that the principal offices of the Endowment shall be located in the District of Columbia.

SECTION 403. PURPOSES OF THE ENDOWMENT

Section 403(a) outlines the purposes of the Endowment, thus defining the parameters of its activities.

Section 403(a)(1) describes the broad purpose of the Endowment, which is to use private sector initiatives to encourage free and democratic institutions worldwide. This specifically includes activities which promote individual rights and freedoms.

Section 403(a)(2) outlines one of the major methods which will be used by private sector groups carrying out the purposes of the Endowment. The section contemplates the use of exchanges between U.S. private sector groups and democratic groups abroad in order to carry out the purposes of the Endowment. Among the private sector groups which will be involved in such exchanges are the Democratic and Republican parties and U.S. labor and business groups.

Section 403(a)(3) provides for the promotion of U.S. nongovernmental participation generally in democratic training programs and democratic institution-building abroad. Particular mention is made of the major U.S. political parties, labor and business, as well as other private sector groups.

Section 403(a)(4) enunciates the purpose of strengthening democratic electoral processes abroad in cooperation with democratic groups in given country. This arrangement would involve agreement between the relevant groups in the United States and in the host country.

Section 403(a)(5) states as a purpose of the Endowment support for the participation of the major political parties, labor, business and other U.S. private sector groups to foster cooperation with groups abroad dedicated to the cultural values, institutions and organizations of democratic pluralism.

Section 403(a)(6) states that the activities of the Endowment in encouraging the establishment and growth of democratic development are to be consistent with broad U.S. national interests and with the requirements of democratic groups abroad assisted by programs funded by the Endowment.

Section 403(b)(1) states specifically that the Endowment will provide funds for programs, but will not actually run programs itself.

Section 403(b)(2) states that funding will only be provided for programs meeting the purposes of the Endowment.

Section 403(b)(3) provides that the Endowment and its grantees will be subject to the oversight procedures of the Congress.

SECTION 404. INCORPORATION OF THE ENDOWMENT

Section 404(a) sets forth the 15 initial incorporators of the Endowment. These individuals will take the steps necessary to incorporate the National Endowment for Democracy under the District of Columbia Nonprofit Corporation Act. This includes drafting of the articles of incorporation and the bylaws, which will reflect the provisions of this title. The listed incorporators represent a cross-section of Americans active in business, labor, the major political parties and with expertise in foreign policy law and the like. Section 404(b) provides that the Honorable Dante B. Fascell shall serve as Chairman of the incorporators and interim Chairman of the Endowment until such time as a Chairman is elected under bylaws of the Endowment. It is expected that, during the pendency of the interim chairman, no funds will be disbursed by the Endowment.

SECTION 405. BOARD OF DIRECTORS

Section 405(a) provides that the Endowment will be governed by a 15-member Board of Directors. Following the initial incorporation period, when the Board will consist of those individuals set forth in section 404 above, the Board will be self-perpetuating and elected in accordance with the Endowment's bylaws.

Section 405(b) provides that vacancies in the Board's membership shall not affect its powers. This provision reflects common practice.

Section 405(c) states that members of the Board shall not be deemed to be officers or employees of the United States. The section provides for per diem for the Board members while performing their duties.

SECTION 406. OFFICERS OF THE ENDOWMENT

Section 406(a) provides that the chief executive officer of the Endowment shall be a President appointed by the Board. The President will carry out the daily operations of the Board, and will report to the Board under appropriate guidelines and procedures.

Section 406(b) provides for staff of Endowment. The number and type will be determined by the Board.

Section 406(c) provides that the terms of officers of the Endowment will be set by the Board.

Section 406(d) prohibits officers of the Endowment from receiving compensation from any source other than the Endowment during the period of their employment by the Endowment.

SECTION 407. NONPROFIT NATURE OF THE ENDOWMENT

Section 407(a) precludes the Endowment from issuing stock or paying dividends. This reflects the nonprofit character of the Endowment.

Section 407(b) prohibits any Board member, officer or employee of the Endowment from gaining any personal benefit from the corporate assets of the Endowment, other than from duly authorized compensation.

SECTION 408. RECORDS AND AUDIT OF THE ENDOWMENT AND THE RECIPIENTS OF ASSISTANCE

Section 408 provides for normal auditing procedures for the Endowment and its grantees.

Section 408(a)(1) provides for regular annual audits of the Endowment by independent auditors. The section requires that all appropriate materials be made available for the audit.

Section 408(a)(2) requires that the independent audits are to be included in the annual report required by section 409 below. It further requires that the audit report set forth the scope of the audit and any other statements necessary to present a complete audit picture.

Section 408(b)(1) permits the financial transactions of the Endowment to be audited annually by the General Accounting Office. The section also provides for appropriate access by representatives of the General Accounting Office to materials necessary to the audits.

Section 408(b)(2) requires that the Comptroller General's audit report be sent to the Congress. It may contain such comments and information as the Comptroller General deems necessary to explain the audit. In addition, the report is required to discuss any transaction which, in the opinion of the Comptroller General, has been conducted without legal authority. The section also provides that copies of the audit report be sent to the President and to the Endowment when the report is submitted to the Congress.

Section 408(c)(1) provides that grantees of the Endowment must keep records appropriate to the conduct of an audit.

Section 408(c)(2) provides access to the Endowment or its duly authorized representatives (such as an independent auditor) for the purpose of auditing the records of the grantees. The same access is authorized for the Comptroller General of the United States or his or her duly authorized representatives.

SECTION 409. REPORT TO THE CONGRESS

Section 409 provides for an annual report by the Endowment to the Congress. The report shall be submitted by December 31 of each year and shall include a comprehensive and detailed report of the Endowment's activities, operations, finances and accomplish-

ments, together with any recommendations the Endowment deems appropriate. The section further requires the Board members and officers of the Endowment to be available to testify before appropriate congressional committees.

SECTION 410. FUNDING FOR THE ENDOWMENT

Section 410 provides the funding mechanism for the Endowment. Subsection (a) provides authority for the Director of the U.S. Information Agency to make grants to the Endowment from the "Salaries and Expenses" account of the agency. Subsection (b) permits the Endowment to use such funds for the purposes of the Endowment without regard to any limitation or guidelines normally imposed by USIA for its grant-making activities.

SECTION 411. ALLOCATION OF FUNDS

Section 411 earmarks specific amounts of money in fiscal years 1984 and 1985 for certain grantees of the Endowment. These include not less than $5 million for each of the 2 fiscal years for the National Democratic Institute for International Affairs; not less than $5 million for each of the 2 fiscal years for the National Republican Institute for International Affairs; not less than $13,800,000 for the Free Trade Union Institute; and not less than $2,500,000 for support of the private enterprise development programs of the National Chamber Foundation.

TITLE V—FOREIGN MISSIONS AMENDMENTS ACT OF 1983

SECTION 501

This title may be cited as the "Foreign Missions Amendments Act of 1983."

SECTION 502

The Diplomatic Relations Act of 1978 (Public Law 95-393) requires all foreign missions, members of missions and their families and officials of the United Nations entitled to diplomatic immunity to carry liability insurance against risks arising from their operation of motor vehicles, vessels or aircraft in the United States.

Although there has been substantial compliance with the requirements of the Act by the diplomatic community, there have been instances where diplomats have allowed their insurance policies to lapse.

The purpose of this title, introduced as an amendment by Senator Sarbanes, is to assure that all U.S. citizens who are injured by the negligence of an individual with diplomatic immunity, will have an opportunity to recover compensation for their damages.

This section transfers the responsibility for implementing the Act from the Protocol Office to the Office of Foreign Missions. Liability insurance is a reciprocity issue. All U.S. diplomats are required to carry such insurance. All foreign diplomats in the United States should do the same. It is the Committee's view that the Office of Foreign Missions is a more appropriate place to carry out the responsibilities of the Diplomatic Relations Act.

SECTION 503. ENFORCEMENT OF COMPLIANCE WITH LIABILITY INSURANCE REQUIREMENTS

This section places the ultimate responsibility for assuring that their employees carry liability insurance on the foreign missions and authorizes the Department of State to impose a surcharge or fee on a foreign mission under the existing authorities of the Foreign Missions Act (Title II, Public Law 97-241) to compensate U.S. citizens for damages caused by diplomats who have not obtained liability insurance or allowed their policies to lapse.

This section will close a small gap in the current law and will increase the protection of U.S. citizens.

TITLE VI—THE ASIA FOUNDATION

SECTION 601

This title may be cited as the "Asia Foundation Act." In the 97th Congress, the House of Representatives and the Senate authorized $4.5 million and appropriated $4.1 million for the operations of the Asia Foundation. In the conference report on the Foreign Relations Authorization Act, fiscal year 1982 and 1983 (H. Rept. 97-693), the Administration was instructed to develop a permanent funding structure for the Foundation. In response, the Administration included an additional $5 million for this purpose for fiscal year 1983 in its supplemental request for the USIA's Project Democracy and $10 million in the fiscal year 1984 project.

It is the Committee's belief that this approach would subject the funding of the Foundation to the success or failure of USIA's efforts to establish a Project Democracy and does not provide a permanent legislative funding structure for the Asia Foundation.

This title would provide this structure within the State Department and authorize funding for fiscal year 1984 and 1985 at a $10 million level.

SECTION 602. FINDINGS

This section states the following findings:

(1) The Asia Foundation, a private nonprofit corporation incorporated in 1954 in the State of California, has long been active in promoting Asian-American friendship and cooperation and in lending encouragement and assistance to Asians in their own efforts to develop more open, more just, and more democratic societies;

(2) The Asia Foundation's commitment to strengthening indigenous Asian institutions which further stable national development, constructive social change, equitable economic growth, and cooperative international relationships is fully consistent with and supportive of long-term United States interests in Asia;

(3) The Asia Foundation, as a private organization, is able to conduct programs in response to Asian initiatives that would be difficult or impossible for an official United States instrumentality, and it is in a position in Asia to respond quickly and flexibly to meet new opportunities;

(4) In recognition of the valuable contributions of the Asia Foundation to long-range United States foreign policy interests, the United States Government has, through a variety of agencies, provided financial support for the Asia Foundation; and

(5) It is in the interest of the United States, and the further strengthening of Asian-American friendship and cooperation, to establish a more permanent mechanism for United States Government financial support for the ongoing activities of the Asia Foundation, while preserving the independent character of the Foundation.

SECTION 603. GRANTS TO THE ASIA FOUNDATION

This section authorizes the Secretary of State to make annual grants to the Asia Foundation. This section also permits the Foundation to utilize the interest gained on any grant money which has been invested by the Foundation prior to the disbursement of such funds to subgrantees.

SECTION 604. FUNDING

This section authorizes the appropriation of $10 million in fiscal year 1984 and in fiscal year 1985 to fund the operations of the Asia Foundation.

COST ESTIMATE

In accordance with Rule XXVI, paragraph 11(a) of the Standing Rules of the Senate, the Committee provides the following estimates of the cost of this original bill, prepared by the Congressional Budget Office:

CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., May 19, 1983.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate on the Department of State Authorization Act, Fiscal Years 1984 and 1985, as ordered reported by the Senate Foreign Relations Committee on April 28, 1983.

Should the Committee so desire, we would be pleased to provide further detail on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: Not yet assigned.
2. Bill title: Department of State Authorization Act, Fiscal Years 1984 and 1985.
3. Bill status: As ordered reported by the Senate Committee on Foreign Relations on April 28, 1983.
4. Bill purpose: This bill authorizes appropriations for the fiscal years 1984 and 1985 for the Department of State, the United States

Information Agency, and the Board for International Broadcasting, and for other purposes. The bill authorizes $3,203.5 million for the fiscal 1984 and $3,234.2 million for the fiscal year 1985 to carry out the purposes of the Act.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1983	1984	1985	1986	1987	1988
Budget Function 150:						
Authorization level	13.3	3,180.3	3,211.0			
Estimated outlays	12.9	2,580.8	3,051.4	508.2	158.7	11.4
Budget Function 300:						
Authorization level		23.2	23.2			
Estimated outlays		20.7	22.7	2.5	0.5	
Budget Function 920:						
Authorization level		48.0	47.5			
Estimated outlays		48.0	47.5			
Total authorization level	13.3	3,251.5	3,281.7			
Total authorization level	12.9	2,649.5	3,121.6	510.7	159.2	11.4

Basis of estimate: The authorization levels for functions 150 and 300 are those stated in the bill. Pay raise assumptions for budget function 920 are based upon CBO baseline pay raise assumptions and the pay and benefit levels implicit in the authorization amount. This estimate is based upon the assumption that the bill will be enacted by July 31, 1983, and that the authorization levels shown will be appropriated. Outlays were estimated using historical outlay rates.

CBO's outlay estimates for the bill incorporate CBO's estimates of the outlays for the mandatory appropriation for unfunded liabilities of the foreign service retirement fund. These estimates are based on current law for the fund because this bill would not make any changes to foreign service retirement. CBO estimates that the mandatory appropriation would be $103.8 million for 1984 and $106.3 million for 1985. The Committee assumed lower estimates of $89.5 million for 1984 and 1985 for these appropriations in anticipation of savings from future legislation. To avoid exceeding the authorizations stated in the bill, authorizations for other components of the Administration of Foreign Affairs would have to be reduced by the difference between the Committee and CBO estimates of the mandatory appropriation. Based on the advice of Committee staff, for the purposes of estimating outlays this cost estimate assumes a reduction in the salaries and expenses portion of the Administration of Foreign Affairs to offset the higher cost of the required payment to the foreign service retirement fund at the levels estimated by CBO.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimates: None.

9. Estimate prepared by: Carla Kruytbosch.

10. Estimate approved by: C. G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis).

EVALUATION OF REGULATORY IMPACT

In accordance with Rule XXVI, paragraph 11(b) of the Standing Rules of the Senate, the Committee has evaluated the regulatory impact of the bill and has concluded that the legislation provides for no new regulatory activity.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985

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TITLE I—DEPARTMENT OF STATE

* * * * * * *

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 102. (a) There are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and other purposes authorized by law, the following amounts:

[(1) For "Administration of Foreign Affairs", $1,245,637,000 for the fiscal year 1982 and $1,248,059,000 for the fiscal year 1983.

[(2) For "International Organizations and Conferences" $503,462,000 for the fiscal year 1982 and $514,436,000 for the fiscal year 1983.

[(3) For "International Commissions", $19,808,000 for the fiscal year 1982 and $22,432,000 for the fiscal year 1983.

[(4) For "Migration and Refugee Assistance", $504,100,000 for the fiscal year 1982 and $460,000,000 for the fiscal year 1983.]

(1) For "Administration of Foreign Affairs," $1,473,713,000 for the fiscal year 1984 and $1,473,713,000 for the fiscal year 1985.

(2) For "International Organizations and Conferences," $602,343,000 for the fiscal year 1984 and $645,978,000 for the fiscal year 1985.

(3) For "International Commissions", $23,207,000 for the fiscal year 1984 and $23,207,000 for the fiscal year 1985.

(4) For "Migration and Refugee Assistance", $344,500,000 for the fiscal year 1984 and $326,400,000 for the fiscal year 1985.

(5) For "Bilateral Science and Technology Agreements" $1,700,000 for the fiscal year 1984 and $1,700,000 for the fiscal year 1985.

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22 U.S.C. 269

INTERNATIONAL BUREAU OF INTELLECTUAL PROPERTY; AUTHORIZATION OF APPROPRIATIONS

SEC. 269f. There is hereby authorized to be appropriated to the Department of State (a) the sum of $10,514 for payment by the United States of certain contributions for the support of the International Bureau of Intellectual Property for the period beginning July 1, 1950, and extending through the fiscal year expiring June 30, 1959; and

(b) Such sums as may be required for the payment by the United States of its proportionate share of the expenses of said international bureau *for any year after 1981* as determined under article 16(4) of the Paris Convention for the Protection of Industrial Property, as revised, except that in no event shall the payment for any year exceed 4.5 per centum of all expenses of the bureau apportioned among countries for that year. Pub. L. 86-614, July 12, 1960, 74 Stat. 381; Pub. L. 88-69, July 19, 1963, 77 Stat. 82; Pub. L. 92-511, Oct. 20, 1972, 86 Stat. 918.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 1979

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TRAVEL RESTRICTIONS ON FOREIGN CITIZENS

SEC. 126. (a) For the purpose of implementing general principles of the Final Act of the Conference on Security and Cooperation in Europe (signed at Helsinki on August 1, 1975) emphasizing the lowering of international barriers to the free movement of people and ideas and in accordance with provisions of the Vienna Convention on Diplomatic Relations establishing the legal principles of nondiscrimination and reciprocity, it shall be the general policy of the United States to impose restrictions on travel within the United States by citizens of another country only when the government of that country imposes restrictions on travel by United States citizens within that country.

(b) The Secretary of State shall—

(1) insure that this policy is clearly conveyed to any foreign government imposing travel restrictions on United States citizens; and

(2) seek the elimination, on a mutual and reciprocal basis, of travel restrictions imposed by such government and by the Government of the United States on each other's citizens.

[(c) Not later than January 20, 1979, and at intervals of one year thereafter for a period of three years, the Secretary of State shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate a report describing—

[(1) domestic travel restrictions then being imposed by the United States Government on citizens of other countries and by foreign governments on United States citizens; and

[(2) the progress of efforts undertaken pursuant to subsection (b) to achieve the elimination of such restrictions.]

(d) Subsection (a) may not be construed as limiting any restrictions on travel within the United States which are imposed by the United States Government, on a reciprocal basis, with respect to the officials of particular foreign governments.

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RESPONSIBILITIES OF THE PRESIDENT

SEC. 503. (a) The President, in consultation with the Director of the Office of Science and Technology Policy and other officials whom the President considers appropriate, shall—

(1) notwithstanding any other provision of law, insure that the Secretary of State if informed and consulted before any agency of the United States Government takes any major action, primarily involving science or technology, with respect to any foreign government or international organization;

(2) identify and evaluate elements of major domestic science and technology programs and activities of the United States Government with significant international implications;

(3) identify and evaluate international scientific or technological developments with significant implications for domestic programs and activities of the United States Government; and

(4) assess and initiate appropriate international scientific and technological activities which are based upon domestic scientific and technological activities of the United States Government and which are beneficial to the United States and foreign countries.

[(b) The President shall study and not later than Jaunary 31, 1980, and not later than January 31 of each year thereafter, shall transmit to the Congress a report containing recommendations with respect to—

[(1) personnel requirements, and standards and training for service of officers and employees of the United States Government, with respect to assignments in any Federal agency which involve foreign relations and science or technology; and

[(2) the continuation of existing bilateral and multilateral activities and agreements primarily involving science and technology, including (A) an analysis of the foreign policy implications and the scientific and technological benefits of such activities or agreement for the United States and other parties, (B) the adequacy of the funding for and administration of such activities and agreements, and (C) plans for future evaluation of such activities and agreements on a routine basis.]

(c) Except as otherwise provided by law, nothing in this section shall be construed as requiring the public disclosure of sensitive information relating to intelligence sources or methods or to persons engaged in monitoring scientific or technological developments for intelligence purposes.

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TAIWAN RELATIONS ACT

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REPORTING REQUIREMENT

SEC. 12. (a) The Secretary of State shall transmit to the Congress the text of any agreement to which the Institute is a party. However, any such agreement the immediate public disclosure of which would in the opinion of the President, be prejudicial to the national security of the United States shall not be so transmitted to the Congress but shall be transmitted to the Committee of Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives under an appropriate injunction of secrecy to be removed only upon due notice from the President.

(b) For purposes of subsection (a), the term "agreement" includes—

(1) any agreement entered into between the Institute and the governing authorities on Taiwan or the instrumentality established by Taiwan; and

(2) any agreement entered into between the Institute and an agency of the United States Government.

(c) Agreements and transactions made or to be made by or through the Institute shall be subject to the same congressional notification, review, and approval requirements and procedures as if such agreements and transactions were made by or through the agency of the United States Government on behalf of which the Institute is acting.

[(d) During the two year period beginning on the effective date of this Act, the Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate, every six months, a report describing and reviewing economic relations between the United States and Taiwan, noting any interference with normal commercial relations.]

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[Public Law 96–110, 96th Cong., H.R. 4955, Nov. 13, 1979]

AN ACT To authorize additional appropriations for migration and refugee assistance for the fiscal years 1980 and 1981 and to authorize humanitarian assistance for the victims of the famine in Cambodia.

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REPORT ON COSTS OF REFUGEE ASSISTANCE PROGRAMS

[SEC. 4. Not later than 60 days after the date of enactment of this Act, the President shall report to the Congress—

(1) the estimated total cost to the United States Government, during fiscal year 1980 and fiscal year 1981, of domestic and foreign assistance to refugees under all programs of the United States Government, and

(2) the estimated total costs to State and local governments during such fiscal years for assistance to refugees which is attributable to such programs.]

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FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 1978

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ASSISTANT SECRETARIES OF STATE

SEC. 109. (a) * * *

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[(7) Not later than January 31, 1978, the Secretary of State shall transmit to the Speaker of the House of Representatives and the chairmen of the Senate Committee on Foreign Relations and the Senate Committee on the Judiciary a comprehensive report on the Office of the Assistant Secretary for Human Rights and Humanitarian Affairs, including its current mandate and operations, the mandate and operations of its predecessors offices, and proposals for the reorganizations of the Department of State that would stengthen human rights and humanitarian considerations in the conduct of United States foreign policy and promote the ability of the United States to participate effectively in international humanitarian efforts.]

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INTERNATIONAL DEVELOPMENT COOPERATION ACT OF 1979

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ANNUAL REPORT

[SEC. 411. (a) Within ninety days after the end of each fiscal year, the President shall submit to Congress a complete and detailed report of the Institute's operations during such fiscal year. Each such report shall include a detailed discussion of the impact of the programs of the Institute's funds (excluding funds used for operating expenses) were used during such fiscal year for activities which further the policies set forth in section 102 of the Foreign Assistance Act of 1961.

(b) Each such report shall include the report prepared by the Council pursuant to section 407(B)(2).]

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FOREIGN SERVICE ACT OF 1980

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TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

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SEC. 703. CAREER DEVELOPMENT.—(a) * * *

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[(f) the Secretary of State shall report annually to the Congress and the President on the status of the professional development program and the resources needed and made available to achieve it. The first such report, to be submitted 90 days after the effective date of this Act, shall set out the resources required to initiate successfully the program established pursuant to this section.]

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FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976

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SEC. 204. PERMITS FOR FOREIGN FISHING.—(a) * * *

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(b)(4) TRANSMITTAL FOR ACTION.—Upon receipt of any application which complies with the requirements of paragraph (3), the Secretary of State shall publish such application in the Federal Register and shall promptly transmit—

(A) such application, together with his comments and recommendations thereon, to the Secretary;

(B) a copy of the application to each appropriate Council and to the Secretary of the department in which the Coast Guard is operating[; and].

[(C) a copy of such material to the Committee on Merchant Marine and Fisheries of the House of Representatives and to the Committees on Commerce and Foreign Relations of the Senate.]

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THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

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TITLE 8—ALIENS AND NATIONALITY

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Authorization for programs for domestic resettlement of and assistance to refugees—Conditions and considerations * * *

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PROGRAM OF INITIAL RESETTLEMENT

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(B) [The President shall provide for a study of which agency is best able to administer the program under this paragraph and shall report, not later than March 1, 1981, to the Congress on such study.] If the President determines [after such study] that the Director should not administer the program under this paragraph, the authority of the Director under the first sentence of subparagraph (A) shall be exercised by such officer as the President shall from time to time specify.

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STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956

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TITLE I—BASIC AUTHORITIES GENERALLY

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SEC. 4. *(a)* The Secretary of State is authorized to—

[(a)] *(1) subject to subsection (b)* make expenditures, from such amounts as may be specifically appropriated therefor, for unforseen emergencies arising in the diplomatic and consular

service and, to the extent authorized in appropriation Acts, funds expended for such purposes may be accounted for in accordance with section 291 of the Revised Statutes (31 U.S.C. 107); and

[(b)] *(2)* delegate to subordinate officials the authority vested in him by section 291 of the Revised Statutes pertaining to certification of expenditures.

(b)(1) Expenditures described under subsection (a) shall be made only for such activities as—

(A) serve to further the realization of foreign policy objectives;

(B) are a matter of urgency to implement;

(C) with respect to activities the expenditures for which are required to be certified under subsection (a), require confidentiality in the best interests of the conduct of foreign policy by the United States; and

(D) are not otherwise prohibited by law.

(2) Activities described in paragraph (1) include—

(A) the evacuation of United States Government employees and their dependents and private United States citizens when their lives are endangered by war, civil unrest, or natural disaster;

(B) loans made to destitute citizens of the United States who are outside the United States and made to provide the return to the United States of its citizens;

(C) visits by foreign chiefs of state or heads of government to the United States;

(D) travel of delegations representing the President at any inauguration or funeral of a foreign dignitary;

(E) travel of the President, Vice President, or Member of Congress to a foreign country, including advance arrangements, escort, and official entertainment;

(F) travel of the Secretary of State within the United States and outside the United States, including official entertainment;

(G) official representational functions of the Secretary of State and other principal officers of the Department of State;

(H) official functions outside the United States the expenses for which are not otherwise covered by amounts appropriated for representation allowances;

(I) investigations and apprehension of groups or individuals involved in fraudulent issuance of United States passports and visas; and

(J) gifts of nominal value given by the President, Vice President, or Secretary of State to a foreign dignitary.

(c) The Department of State's Inspector General's Office shall conduct an annual confidential audit of the State Department's emergency expenditures and provide a report to the Senate Foreign Relations Committee and the House Foreign Affairs Committee indicating whether such expenditures were made in accordance with the intent of subsections (a) and (b) of this provision.

(d) With regard to the repatriation loan program, the State Department shall—

(1) require the borrower to provide a verifiable address and social security number at the time of application;

(2) require a written loan agreement which includes a repayment schedule;

(3) bar passports from being issued or renewed for those currently in default;

(4) refer any loan more than one year past due to the Department of Justice for litigation;

(5) obtain addresses from the Internal Revenue Service for all delinquent accounts which have social security numbers;

(6) report defaults to commercial credit bureaus as provided in Public Law 97-365;

(7) be permitted to appropriate any funds necessary to contract with commercial collection agencies, notwithstanding Public Law 97-365, Section 13, paragraph (f)(3);

(8) charge interest on all loans as of May 1, 1983. The rate of interest to be charged shall be as set forth in Public Law 97-365, section 11, paragraph (e)(1);

(9) assess charges, in addition to the interest provided for in paragraph (8) above, to cover the costs of processing and handling delinquent claims, as of May 1, 1983;

(10) assess a penalty charge, in addition to the interest provided for in paragraphs (8) and (9) above, of 6 per centum per annum, for failure to pay any portion of a debt more than ninety days past due;

(11) implement the interest and penalty provisions in parts (8), (9), and (10) above for all current and future loans, regardless of whether the debts were incurred before or after May 1, 1983.

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TITLE II—AUTHORITIES RELATING TO THE REGULATION OF FOREIGN MISSIONS

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ENFORCEMENT OF COMPLIANCE WITH LIABILITY INSURANCE REQUIREMENTS

SEC. 204A. (a)(1) The head of a foreign mission shall notify promptly the Director of the lapse or termination of any liability insurance coverage held by a member of the mission, by a member of the family of such member, or by an individual described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946.

(2) Not later than February 1 of each year, the head of each foreign mission shall prepare and transmit to the Director a report including a list of motor vehicles, vessels, and aircraft registered in the United States by members of the mission, members of the families of such members, individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, and by the mission itself. Such list shall set forth for each such motor vehicle, vessel, or aircraft—

(A) the jurisdiction in which registered;

(B) the name of the insured;

(C) the name of the insurance company;

(D) the insurance policy number and the extent of insurance coverage; and

(E) such other information as the Director may prescribe.

(b) Whenever the Director finds that a member of a foreign mission, a member of the family of such member, or an individual described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946—

(1) is at fault for personal injury, death, or property damage arising out of the operation of a motor vehicle, vessel, or aircraft in the United States,

(2) is not covered by liability insurance, and

(3) has not satisfied a court-rendered judgment against him or is not legally liable,

the Director shall impose a surcharge or fee on the foreign mission of which such member or individual is a part, amounting to the unsatisfied portion of the judgment rendered against such member or individual or, in the case of no court-rendered judgment, an estimated amount of damages incurred by the victim. The payment of any such surcharge or fee shall be available only for compensation of the victim or his estate.

(c) For purpose of this section—

(1) the term "head of a foreign mission" shall have the same meaning as ascribed to the term "head of a mission" in article 1 of the Vienna Convention on Diplomatic Relations of April 18, 1961; and

(2) the terms "members of a mission" and "family" shall have the same meanings as ascribed to them by paragraphs (1) and (2) of section 2 of the Diplomatic Relations Act.

FOREIGN SERVICE ACT OF 1980

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TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

CHAPTER 1—GENERAL PROVISIONS

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SEC. 102. DEFINITIONS—[(a)] As used in this Act, the term—

(1) "abroad" means all areas not included within the United States;

(2) "agency" means an agency as defined in section 552(e) of title 5, United States Code;

(3) "chief of mission" means the principal officer in charge of a diplomatic mission of the United States or of a United States office abroad which is designated by the Secretary of State as diplomatic in nature, including any individual assigned under section 502(c) to be temporarily in charge of such a mission or office;

(4) "Department" means the Department of State, except that with reference to the exercise of functions under this Act with respect to another agency authorized by law to utilize the Foreign Service personnel system, such term means that other agency;

(5) "employee" (except as provided in section 1002(8)) means, when used with respect to an agency or to the Government generally, an officer or employee (including a member of the Service) or a member of the Armed Forces of the United States, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration,

(6) "function" includes any duty, obligation, power, authority, responsibility, right, privilege, discretion, or activity;

(7) "government" means the Government of the United States;

(8) "merit principles" means the principles set out in section 2301(b) of title 5, United States Code;

(9) "principle officer" means the officer in charge of a diplomatic mission, consular mission (other than a consular agency), or other Foreign Service post;

(10) "Secretary" means the Secretary of State, except that (subject to section 201) with reference to the exercise of functions under this Act with respect to any agency authorized by law to utilize the Foreign Service personnel system, such term means the head of that agency;

(11) "Service" or "Foreign Service" means the Foreign Service of the United States; and

(12) "United States", when used in a geographic sense, means the several States and the District of Columbia.

[(b) References in this Act or any other law to "Foreign Service officers" shall, with respect to the International Communication Agency, be deemed to refer to Foreign Service information officers.]

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CHAPTER 9—TRAVEL, LEAVE, AND OTHER BENEFITS

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SEC. 906. Entitlement to Vote in a State in a Federal Election.—(a) Except as provided in subsection (b), in addition to any entitlement to vote in a State in a Federal election under section 3 of the Act of January 2, 1976 (Public Law 94–203), a member of the Service residing outside the United States may, for purposes of entitlement to vote in a State in a Federal election, be entitled to vote in the State in which he was last domiciled immediately before entering the Serivce if he—

(1) makes an election of such State;

(2) notifies such State of his election and notifies such other States in which he is entitled to vote of such election; and

(3) otherwise meets the requirements of such Act.

(B) The provisions of subsection (a) shall apply only to an individual who becomes a member of the Service on or after the date of enactment of this act and shall not apply to an individual who registers to vote in a State in which he is entitled to vote under section 3 of such Act.

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UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948, AS AMENDED

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TITLE VII—APPROPRIATIONS

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NOTIFICATION OF REPROGRAMINGS AND GRANTS

SEC. 705. (a) Unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of the proposed reprograming, funds appropriated for the United States Information Agency shall not be available for obligation or expenditure through any reprograming of funds—

(1) which creates new programs;

(2) which eliminates a program, project, or activity;

(3) which increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by the Congress;

(4) which relocates an office or employees;

(5) which reorganizes offices, programs, or activities; or

(6) which involves a reprograming in excess of $250,000 or 10 percentum, whichever is less, and which (A) augments existing programs, projects, or activities, (B) reduces by 10 percentum or more the funding for any existing program, project, or activity, or personnel approved by the Congress, or (C) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects approved by the Congress.

(b) In addition, the United States Information Agency may award program grants for the fiscal years 1984 and 1985 only if the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of the proposed grant.

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TITLE VIII—ADMINISTRATIVE PROCEDURES

THE SECRETARY

SEC. 801. In carrying out the purposes of this Act, the Secretary is authorized, in addition to and not in limitation of the authority otherwise vested in him—

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(3) whenever necessary in carrying out title V of this Act, to purchase, rent, construct, improve, maintain, and operate facilities for radio transmission and reception, including the leasing of associated real property (either within or outside the United States) for periods not to exceed [ten] *twenty-five* years, or for longer periods if provided for by an appropriation Act, and the alteration, improvement, and repair of such property, without regard to section 322 of the Act of June 30, 1932 (40 U.S.C.

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278a), and any such real property or interests therein which are outside the United States may be required without regard to section 355 of the Revised Statutes of the United States (40 U.S.C. 255) if the sufficiency of the title to such real property or interests therein is approved by the Director of the International Communication Agency;

(4) to provide for printing and binding outside the continental limits of the United States, without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111);

(5) to employ persons on a temporary basis without regard to the civil service and classification laws, when such employment is provided for by the pertinent appropriation Act; and

(6) to create with the approval of the Commission on Information and the Commission on Educational Exchange, such advisory committees as the Secretary may decide to be of assistance in formulating his policies for carrying out the purposes of this Act. No Committee member shall be allowed any salary or other compensation for services; but he may be paid his transportation and other expenses, as authorized by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73 b–2).

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BASIC AUTHORITY

SEC. 804. In carrying out the provisions of this Act, the Secretary, or any Government agency authorized to administer such provisions, may—

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(19) notwithstanding section 5946 of title 5 of the United States Code, pay dues for library membership in organizations which issue publications to members only, or to members at a price lower than to others; [and]

(20) subject to the availability of appropriate funds, purchase motion picture, radio and television producers' liability insurance to cover errors and omissions or similar insurance coverage for the protection of interests in intellectual property[.] ; *and*

(21) notwithstanding section 529 of title 31 and section 5536 of title 5 of the United States Code, grant to each of no more than five employees assigned to duty in New York, New York, and required because of important representational responsibilities to live in the extraordinarily high-rent area immediately surrounding the headquarters of the United Nations in New York, New York, an allowance of the same kind and amount provided to employees of the staff of the United States Mission to the United Nations pursuant to section 9(1) of the United Nations Participation Act of 1945 (22 U.S.C. 287e–l(1).

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MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961, AS AMENDED (FULBRIGHT-HAYS ACT)

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SEC. 102. (a) The President is authorized, when he considers that it would strengthen international cooperative relations, to provide, by grant, contract, or otherwise, for—

(1) educational exchanges, (i) by financing studies, research, instructions, and other educational activities—

(A) of or for American citizens and nationals in foreign countries, and

(B) of or for citizens and nationals of foreign countries in American schools and institutions of learning located in or outside the United States;

and (ii) by financing visits and interchanges between the United States and other countries of students, trainees, teachers, instructors, and professors;

(2) cultural exchanges, by financing—

(i) visits and interchanges between the United States and other countries of leaders, experts in fields of specialized knowledge or skill, and other influential or distinguished persons;

(ii) tours in countries abroad by creative and performing artists and athletes from the United States, individually and in groups, representing any field of the arts, sports, or any other form of cultural attainment;

(iii) United States representation in international artistic, dramatic, musical, sports, and other cultural festivals, competitions, meetings, and like exhibitions and assemblies;

(iv) participation by groups and individuals from other countries in nonprofit activities in the United States similar to those described in subparagraphs (ii) and (iii) of this paragraph, when the President determines that such participation is in the national interest.

(3) United States participation in international fairs and expositions abroad, including trade and industrial fairs and other public or private demonstrations of United States economic accomplishments and cultural attainments.

(b) In furtherance of the purposes of this Act, the President is further authorized to provide for—

(1) interchanges between the United States and other countries of handicrafts, scientific, technical, and scholarly books, books of literature, periodicals, and government publications, and the reproduction and translation of such writings, and the preparation, distribution, and interchange of other educational and research materials, including laboratory and technical equipment for education and research;

(2) establishing and operating in the United States and abroad centers for cultural and technical interchanges to promote better relations and understanding between the United States and other nations through cooperative study, training, and research;

(3) assistance in the establishment, expansion, maintenance, and operation of schools and institutions of learning abroad, founded, operated, or sponsored by citizens or nonprofit institutions of the United States, including such schools and institutions serving as demonstration centers for methods and practices employed in the United States;

(4) fostering and supporting American studies in foreign countries through professorships, lectureships, institutes, seminars, and courses in such subjects as American history, government, economics, language and literature, and other subjects related to American civilization and culture, including financing the attendance at such studies by persons from other countries;

(5) promoting and supporting medical, scientific, cultural, and educational research and development;

(6) promoting modern foreign language training and area studies in United States schools, colleges, and universities by supporting visits and study in foreign countries by teachers and prospective teachers in such schools, colleges, and universities for the purpose of improving their skill in languages and their knowledge of the culture of the people of those countries, and by financing visits by teachers from those countries to the United States for the purpose of participating in Foreign language training and area studies in United States schools, colleges, and universities;

(7) United States representation at international nongovernmental educational, scientific, and technical meetings;

(8) participation by groups and individuals from other countries in educational, scientific, and technical meetings held under American auspices in or outside the United States;

(9) encouraging independent research into the problem of educational and cultural exchange; and

(10) promoting studies, research, instruction, and other educational activities of citizens and nationals of foreign countries in American schools, colleges, and universities located in the United States by making available to citizens and nationals of less developed friendly foreign countries for exchange for currencies of their respective countries (other than excess foreign currencies), at United States embassies, United States dollars in such amounts as may be necessary to enable such foreign citizens or nationals who are coming temporarily to the United States as students, trainees, teachers, instructors, or professors to meet expenses of the kind described in section 104(e)(1) of this Act[.];

(11) interchanges and visits between the United States and other countries of scientists, scholars, leaders, and other experts in the fields of environmental science and environmental management.

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SEC. 109. (a) In order to carry out the purposes of this Act, there is established in the United States Information Agency, or in such appropriate agency of the United States as the President shall determine, a Bureau of Educational and Cultural Affairs, hereinafter re-

ferred to as the "Bureau." The Bureau shall be responsible for managing, co-ordinating and overseeing programs established pursuant to this Act and administered by the United States Information Agency including, but not limited to:

(1) The J. William Fulbright Educational Exchange Program which, by promoting the exchange of scholars, researchers, students, trainees, teachers, instructors and professors, between the United States and foreign countries, accomplishes the purposes of section 102(a)(1) of this Act;

(2) The Hubert H. Humphrey Fellowship Program which finances (i) study at American universities and institutions of higher learning including study in degree granting programs, and, (ii) participation in fellowships, internships, or other programs in American governmental and nongovernmental institutions for public managers and other individuals from the less developed countries;

(3) The International Visitors Program which provides grants for short-term visits to the United States for foreign nationals who are, or have the potential to be, leaders in their respective fields in their own countries;

(4) The American Cultural Centers and Libraries which make available at selected foreign locations, books, films, sound recordings and other materials about the United States, its people and culture and about other topics;

(5) The American Overseas Schools Program which provides financial assistance to the operations of American sponsored schools overseas;

(6) The American Studies Program, which fosters and supports the study of the United States, and its people and culture, in foreign countries; and

(7) A program of working with private, not-for-profit groups through contracts, grants or cooperative agreements, as authorized by section 102 of this Act, so as to provide financial assistance to nongovernmental organizations engaged in implementing and enhancing exchange-of-persons programs.

(b) The President, or his designee, shall insure that all programs under the authority of the Bureau shall maintain their non-political character and shall be balanced and representative of the diversity of American political, social and cultural life. The President, or his designee, shall insure that academic and cultural programs under the authority of the Bureau shall maintain their scholarly integrity and shall meet the highest standards of academic excellence or artistic achievement.

(c) The Bureau shall administer no programs except those operating under the authority of this Act and consistent with its purposes.

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BOARD FOR INTERNATIONAL BROADCASTING ACT OF 1973 (RADIO FREE EUROPE/RADIO LIBERTY)

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AUTHORIZATIONS OF APPROPRIATIONS

SEC. 8. (a)(1) There are authorized to be appropriated to carry out the proposes of this Act—

[(A) $86,519,000 for the fiscal year 1982 and $98,317,000 for the fiscal year 1983; and]

(A) $111,600,000 for the fiscal year 1983, $106,055,000 for the fiscal year 1984, and $111,251,000 for the fiscal year 1985; and

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BENEFITS FOR CERTAIN RETIREES AND SURVIVING SPOUSES OF EMPLOYEES OF RADIO FREE EUROPE/RADIO LIBERTY, INCORPORATED

SEC. 12. Notwithstanding section 8(b), amounts described in such section and held in reserve, but not to exceed $5,000,000 shall be deposited in a separate account and amounts in such account shall be available, without fiscal year limitation, only to enhance the pensions and cost of living adjustments of individuals who retired from Radio Free Europe/Radio Liberty, Incorporated, before January 1, 1976, and the benefits to which surviving spouses of employees of Radio Free Europe/Radio Liberty, Incorporated, are entitled by virtue of the creditable service of such employees rendered before January 1, 1976.

DIPLOMATIC RELATIONS ACT

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REQUIREMENT FOR LIABILITY INSURANCE

SEC. 6. (a) Each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, shall comply with any requirement imposed by the regulations promulgated by the [President] *Director of the Office of Foreign Missions* pursuant to subsection (b).

(b) [The President shall, by regulation, establish liability insurance requirements] *The Director of the Office of Foreign Missions shall, by regulation, establish liability insurance requirements which can reasonably be expected to afford adequate compensation to victims and which are* to be met by each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, relating to risks arising from the operation in the United States of any motor vehicle, vessel, or aircraft.

(c) The [President] *Director of the Office of Foreign Missions* shall take such steps as he may deem necessary to insure that each mission, members of the mission and their families, and individuals described in section 19 of the Convention on Privileges and Immunities of the United Nations of February 13, 1946, who operate motor vehicles, vessels, or aircraft in the United States comply with the requirements established pursuant to subsection (b).

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